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ROY BIRD COOK, *Editor*

INNIS C. DAVIS, *Managing Editor*

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Contents

West Virginia Material in the Draper Manuscripts, by Louise Phelps Kellogg ---- 5
Constitutional Issues Raised by West Virginia's Admission into the Union, by Victor Langford ---- 12
Early Postal Service in Western Virginia—1792 to 1800, by Delf Norona ---- 36
Documents:
Concerning the First Survey of the Northern Neck, edited by Elizabeth Cometti ---- 52
West Virginians in the American Revolution, assembled and edited by Ross B. Johnston ---- 65
Book Reviews:
Hansen, *The Atlantic Migration, 1607-1860*, by W. K. Woolery ---- 76
Buck, *The Planting of Civilization in Western Pennsylvania*, by C. H. Ambler ---- 78
Parks, *Felix Grundy, Champion of Democracy*, by O. P. Chitwood 79
Wright, *The First Gentlemen of Virginia*, by John Carter Matthews ---- 81
Courtney, *The Church on the Western Waters*, by Ernest Thompson ---- 83
McNeill, *The Last Forest*, by Mabel Ann West ---- 85
Stephenson and Dunn, *George Washington*, by Elizabeth Cometti 85
State History as Featured by the Press ---- 87
Recent Publications of Interest to West Virginians ---- 92
Contributors ---- 93
Gifts and Loans to the Department of Archives and History ---- 94
Editor's Page ---- 95

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West Virginia Material in the Draper Manuscripts

By Louise Phelps Kellogg

The Draper Manuscripts, now in the custody of the State Historical Society of Wisconsin, were the private collection of its first secretary (1854-86), Lyman C. Draper, and were incorporated into the Society's possessions after Draper's death in 1891. Then it was found he had bequeathed his collections to the institution he had served so long and faithfully. As his successor said, "Unfortunately for himself, he had accumulated so vast a flood of material that at last it was beyond his control." This material constitutes what is known as the Draper Manuscripts, and to understand its value and importance something of Draper's interests and methods must be known.

From boyhood, when at his father's fireside in western New York he had listened to tales of border life during the American Revolution and the Indian wars, Draper had been impressed with the deeds of the frontiersmen in their heroic struggle to maintain their hold against the opposing Indians and to push the frontier farther West. He began as a youth to seek out the old frontiersmen, and to secure the tales of adventure from their own lips. Then he would ask if there were any papers to confirm these accounts, and frequently rescued such material from attics and outhouses where it was being destroyed.

After a brief college course in Ohio, Draper and a chum went to northern Mississippi to edit a paper. At Pontotoc in that state lived descendants of Patrick Henry and other Virginia and Carolina leaders in the Revolution and the western movement. Their reminiscences reawakened

Draper's imagination, and his desire to rescue the history of those deeds before they were lost in oblivion. Introduced by the older men of consequence, he began a pilgrimage into Tennessee and western North Carolina, Virginia, and Kentucky to interview the remaining pioneers and their descendants, and to obtain such papers as would fit his purpose of writing lives of the border heroes. It is indicative of his absorption in the past that when visiting Nashville in the late thirties of the last century, he made no effort to interview the contemporary hero, Andrew Jackson, but devoted himself to the founders of Nashville and the commonwealth of Tennessee, James Robertson, John Sevier, Joseph Martin, and others. A visit not long afterwards to western Virginia resulted in securing the Preston papers, those of Col. William Fleming, and the few that were left of the Lewis family. In Kentucky he obtained the George Rogers Clark papers, the Shelby papers, and those of many humbler participants in the frontier wars.

Draper never ceased collecting during his life but he wrote little. He early began a life of Daniel Boone, and after filling five large manuscript volumes he had not covered one-half of his hero's career. His method of writing was detailed and voluminous, and utterly lacked perspective; to him one fact was as important as another. This is why so many facts may be gathered in these papers about isolated regions and obscure persons. His written books were insignificant, but the material he collected for them furnishes a unique source for the early history of the western frontier.

The frontier, in Draper's thought, extended from western New York, where he was interested in Joseph Brant and the Indian skirmishes of the Revolution, along the Ohio to Pittsburgh; thence southwest Pennsylvania and northwest Virginia furnished an important area, with two outlets to the farther west, along the Ohio River and through the Cumberland Gap and the Wilderness Road into Kentucky. The principal material therefore for West

Virginia centers in three regions: the eastern counties; the "panhandle," with Wheeling as a focal point; and Greenbrier and its exits west and south, especially the New River and the route via the Kanawha to the Ohio. There was also the secondary route to the sources of the Big Sandy, and it is with this latter region that the earliest material for West Virginia history deals.

In 1756 Major Andrew Lewis was ordered to collect the militia of Augusta County, Virginia, then the only western county; and to proceed against the Shawnee Indians, who after Braddock's defeat had been let loose on the western frontier. Among the regions raided had been that of the present Montgomery County where a Mrs. Ingles and her children had been carried into captivity. The Sandy Creek expedition, as it was called, was not a success; it passed over the mountains of southwest Virginia, went down the Dry Fork of Sandy, and was expected to reach and attack the Shawnee towns opposite the mouth of the creek. The commissary force failed in its duties, game was scarce, and the men finally refused to march farther, and returned, straggling without discipline through the mountains. A specific account of this expedition appears in the series called *Border Forays,* together with an account of the escape of Mrs. Ingles and her return journey over the Great Kanawha route to the settlements. Material for these sketches was found in the Preston papers (Capt. William Preston being a captain on the expedition), and in the letters and interviews with the Ingles family, among the Virginia papers and the series known as Frontier Wars.

The next frontier episode connected with West Virginia which finds its exemplification in the Draper Manuscripts is the border war known as Lord Dunmore's. Although Dunmore himself came to Pittsburgh and led in person an expedition into the Indian country, the real fighting was done by the contingent from the southwest Virginia counties that marched down the Great Kanawha and defeated Cornstalk and his Shawnee warriors, October 10, 1774, at Point Pleasant. The Draper Manuscripts

have most of the available material on the preliminary skirmishes which led to the attempt to subdue the Shawnees. George Rogers Clark was on this frontier in 1773 and 1774 and in his papers is found material on the Cresaps, Bakers, Washburns, and Tomlinsons; an interview with a slave of Yates Conwell; and material on Col. Angus McDonald of Romney, who led a side expedition. In the Kanawha expedition were men who became famous in Western history. Their muster rolls and letters are found in the Preston, Fleming, and Christian papers. Unfortunately the Lewis papers had been destroyed before Draper visited members of that family. There is an account of Dunmore's War written from these papers in the series Draper called *Border Forays*, with sketches of the field officers at Point Pleasant.

When we come to the American Revolution the early years in West Virginia may be sought out among these papers for several localities. The Bedinger papers comprise material about the Shepherdstown vicinity, where that family settled as early as 1762, and where the Stephensons, Swearingens, and Daniel Morgan aided in forming the rifle regiment that marched to Washington's aid in 1776. The Ohio frontier centering at Fort Henry at Wheeling was endangered in 1777. Its siege and the subsequent Forman's defeat form the subject of sketches in *Border Forays* for which the material is largely found in the Shepherd papers obtained by Draper from the David Shepherd estate. Shepherd had for his aides in 1777 his eldest son, William, and his son-in-law, Francis Duke, both of whom were killed during the siege; and what survived of their papers are to be found herein. In the Shepherd papers also are receipts for powder, provisions, orders for the garrisons along the Ohio, lists of companies of militia—voluntary or drafted, pay and muster rolls, reports of spy captains and all the paraphernalia of arrangements for defense on this difficult frontier. Shepherd was also sheriff of Ohio County, and furnished boats for the expeditions down stream of George Gibson, George Rogers Clark and David

Rogers. He aided William Linn when he returned from New Orleans with powder, and he informed General Washington of the depredations on his Ohio lands.

The Shepherd papers, the Harrod papers, the McCulloch papers, and the Biggs papers carry on the history of this Wheeling frontier through the remaining years of the Revolution, and the Indian Wars that followed. Very useful for these years are the Brady and Wetzel papers, which deal not only with the exploits of Samuel Brady and Lewis Wetzel but with those of their fellow scouts and comrades, Silas Hedges, Henry Jolly, James Downing, Benjamin Cuppy, Van Swearingen, Adam Poe, Levi Morgan, Jacob Holmes, the Wells, Rileys, Springers, Zanes, Mitchells, Edgingtons, Boggs, McMechans, Coxes, Van Buskirks, and most of the early families of the panhandle.

The history of this period and region is greatly illumined by the numerous interviews which Draper took from pioneer residents. As early at 1845 and again in 1846, he visited here and wrote out long accounts of the reminiscences of Mrs. Lydia Boggs Cruger, of Lewis Bonnet, David McCulloch, Bazaleel and Caleb Wells, Ezekiel Caldwell, Col. Archibald Woods, John Cuppy, David Morgan, George and Cyrus Wetzel, and two daughters of Abraham Rice. In 1860 Draper again visited Wheeling and then interviewed Judge Samuel and John W. Mitchell, Joseph Caldwell, and a daughter of Ebenezer Zane. Nearby in Ohio he found descendants of Abraham Cuppy; he there interviewed Jesse Edgington, Joseph Cox, Hugh McGuire, and James V. Wilson. Thus, just on the eve of the greater conflict of the Civil War, Draper was industriously gathering the traditions of pioneers of two generations earlier.

For the Kanawha Valley, the Boone papers furnish material on the residence of that pioneer first at Point Pleasant, then on the upper Kanawha; here is found an account of his rescue of one of the Flinn family of Marion County, the location and siege of Tackett's fort, and the book of sales and credits he kept at Point Pleasant, with material

on the Van Bibber family. In Draper's material for a revision of Wither's *Chronicles of Border Warfare,* we find West Virginia material on the captives of the Clendennin and Renick families of central West Virginia.

A number of Draper's correspondents furnished West Virginia material. Among these was S. P. Hildreth of Marietta, who sent Draper a number of papers from Henry Jolly; George S. McKiernan, D. M. Edgington, Wills De Haas, William Darby, and Miss Narcissa Doddridge. Draper also secured a number of pension statements from the archives at Washington. He also copied both at Richmond and Washington a great amount of official material on the Western movement. The advantage of using these copies, which are very accurate, is their selection from the vast masses of other papers and their concentration on Western history.

Among the miscellanies not noted above may be found the list of tithables for Ohio County, 1770; the movement in 1780 for a separate government west of the Alleghenies; the surveys of John and Gabriel Madison in 1780 in Monongalia County; letters concerning the Whisky rebellion of 1794; the contest between Rumsey and Fitch on the invention of the steamboat; the proposal in 1814 to raise money in western Virginia for a warship for the government; copies of articles in 1829 from Wheeling *Gazette.*

From the foregoing the range in time of the material in Draper Manuscripts may be observed. They relate almost wholly to the last half of the eighteenth century and for the most part to the latter half of that (1774-1794). The object Draper had in mind, to write the lives of border heroes, conditions the material. The economic material is small and purely incidental to defense; the personal material is large, but relates to specific incidents; genealogy is purely incidental. The political interest is small and can be gathered only from general groups of papers. The industry and zeal of the collector led to the accumulation of an amount of material, much of which would otherwise have been lost, which illuminates the remarkable migration of the

American people over the mountains into the Ohio Valley, and their tremendous struggle there with the Indians.

Constitutional Issues Raised by West Virginia's Admission into the Union

By Victor Langford

Steps taken in the formation of West Virginia and her entrance into the Union constitute an interesting chapter in the constitutional history of the United States. Governor Letcher of Virginia called an extra session of the general assembly, which met on January 7, 1861, prepared to consider the issue of secession from the Union. After a stormy session of seven days, the general assembly authorized an election to be held February 4, 1861, to choose delegates to a convention which would meet eight days thereafter to determine Virginia's course of action in the political crisis then confronting the nation. The convention thus brought into being was to be one of limited powers; and in electing their delegates the people were to vote whether, if the convention did anything to affect the relationship of Virginia to the federal government, such action should be referred to the people for ratification before it became effective. In northwestern Virginia mass meetings held in the various counties made it evident that people in that section of the State disapproved of any convention summoned to consider federal-state relations, and the general assembly was vigorously condemned for its violation of precedent in calling such a convention without having previously submitted the question to the people.

When the convention assembled at Richmond on February 13, 1861, the majority of its members were at first opposed to secession; but the minority were vigorous and

determined and ultimately prevailed on April 17, when by a vote of 88 to 55 the convention approved an Ordinance of Secession, to take effect when ratified by a majority of voters at an election set for May 23. Of delegates from western Virginia in the convention 32 voted against the Secession Ordinance, 11 voted for it, and 4 did not vote at all.

When news of the action taken by the Richmond convention was received in western Virginia, mass meetings were called at Clarksburg, Wheeling, Kingwood, Point Pleasant, and other places to sound out public opinion on the issue. And in response to a call issued by the Clarksburg meeting for an assemblage of representatives from all the western counties, the First Wheeling Convention, composed of 400 delegates, met at Wheeling, Virginia, on May 13. An important issue was immediately raised by John S. Carlisle, who urged instant separation of the northwestern counties from Virginia and their formation into a new State. This suggestion was sympathetically received by the majority of delegates, but was vigorously denounced by Waitman T. Willey as "triple treason"—treason against Virginia, against the United States, and against the Confederate States (if the seceding nation succeeded in maintaining herself). Carlisle defended separation from Virginia on the ground that the United States Constitution nullified any State constitution or legislative provision in conflict therewith, and pointed out that the former expressly contemplated the creation of a new State from part of the territory of an existing State. "Then where," he asked, "is there anything revolutionary in discussing and deliberating and exercising a privilege thus secured us by that instrument?" But opponents of Carlisle's project persisted in denouncing the scheme as revolutionary and argued that inasmuch as the United States would continue to recognize Virginia's present government until a popular vote in Virginia ratified the Secession Ordinance, the federal government certainly would not recognize a new State formed in direct opposi-

tion to the will of the Richmond general assembly. Therefore, they contended, the proper course of action was to wait until the plebiscite of May 23 before adopting a drastic course of action. In the end the group led by Willey triumphed, and the First Wheeling Convention did no more than declare for adhesion to the United States, denounce as illegal and void the action of the Richmond convention, and order an election to be held June 4 for a convention to reorganize the State government, provided the Secession Ordinance were ratified on May 23. It was apparent that both factions were anxious to separate the northwestern counties from the rest of Virginia, and differed only on the procedural question.

The State-wide plebiscite of May 23 was, as had been foreseen, a farce. Before some of the people of Virginia had even heard of the Ordinance of Secession on which they were to vote, State officials had declared for withdrawal from the Union, and the State government had ratified a secret league entering into a provisional union with the Confederate States whereby the entire military forces of Virginia were placed instantly and absolutely at the command of the President of the Confederate States. Moreover, Virginia politicians closely censored the mails to prevent the distribution of all literature hostile to the cause of secession, with the result that the federal government suspended mail service in Virginia after May 21, except in western Virginia. Probably no complete official returns of the plebiscite of May 23 were ever declared, but on June 14 Governor Letcher issued a proclamation announcing the ratification of the Secession Ordinance by a popular vote (partial) of 125,950 against 20,373.

Meanwhile, however, delegates from a considerable number of counties in western Virginia, elected on June 4 as directed by the First Wheeling Convention, had assembled on June 11, 1861, at Wheeling, Virginia, despite all efforts of Virginia's military forces to prevent it. Two days later this revolutionary body branded as a usurpation of power the act of the general assembly of Virginia in

calling the Richmond convention without a prior plebiscite on the question, and denounced as illegal subsequent proceedings of the convention and of the executive authority of the State directed toward secession from the Union. The assembled delegates then declared all State officials who had subscribed to the Secession Ordinance had by that very act vacated their offices, which necessitated a complete reorganization of the government of Virginia. Consequently, on June 19 the Second Wheeling Convention unanimously passed an ordinance reorganizing the State government, and the following day elected State officials, headed by Francis H. Pierpont as governor.

A loyalist general assembly purporting to be the true legislative body of Virginia met at Wheeling on July 1, as directed by the Second Wheeling Convention, and completed the selection of State officers, including two United States Senators. President Lincoln had already recognized the Pierpont regime as the true government of Virginia; and not long thereafter the Senate, by seating the two Senators elected by the Wheeling general assembly, and the House of Representatives, by taking similar action with respect to Congressmen from northwestern Virginia elected in defiance of the Richmond authorities and commissioned by Governor Pierpont, recognized the Reorganized Government as the lawful and proper government of the State of Virginia.

The Second Wheeling Convention on August 20 adopted an ordinance providing for the creation of a new State, to be called Kanawha, out of the territory of Virginia. The people within the boundaries of the proposed new State were directed to express their will as to separation from Virginia in a plebiscite to be held October 24, and to elect delegates to a convention to prepare and adopt a constitution for Kanawha. The plebiscite was held on the date set, and resulted in overwhelming approval for the creation of a new State, the vote being 18,408 to 781. Therefore, on November 26 a constitutional convention met at Wheeling, and one of its first acts was to change the name

of the proposed new State from Kanawha to West Virginia. The new State constitution was completed on February 18, 1862, submitted to the people on April 3, and ratified by them by a vote of 18,862 to 514. The legislature of the Restored Government of Virginia, consisting of 35 members in the lower house and 10 in the upper chamber,[1] met in May and approved the formation of the State of West Virginia from the territory of the State of Virginia; this territory included 48 counties in northwestern Virginia, and three additional counties — Jefferson, Berkeley, and Frederick — if they should choose to be included.

Senator Waitman T. Willey, on May 29, 1862, presented to the United States Senate a memorial asking the admission into the Union of the new State of West Virginia. The propriety of admitting West Virginia, born in a troubled time and petitioning for entrance into the Union under unusual circumstances, was now the responsibility of the federal government. The Senate, the House of Representatives, the Cabinet, and the President grappled with the problem at various times during the remainder of the year. Under abnormal circumstances then prevailing it is not surprising that expediency rather than constitutional nicety seemed of primary importance to those charged with the responsibility of considering West Virginia's petition for statehood. Nevertheless, the constitutional aspect of the matter was by no means ignored. It was touched upon in the Senate, discussed at length in the House of Representatives, and maturely considered by the President and his Cabinet.

The crux of the constitutional argument was the status of the Reorganized Government of Virginia. Congressmen Martin F. Conway of Kansas and Thaddeus Stevens of Pennsylvania at one extreme denied it any status whatever on the ground that Virginia was no longer in the Union. Conway asserted that while the act of secession

[1]The old constitution of Virginia had set the constitutional membership of the House of Delegates at 149 and the membership of the Senate at 50.

had no legal power to remove Virginia from the Union, as a revolutionary act it was able to achieve that result.

I maintain that a State can only be released from its obligations to this Union by a revolution; that a State may proceed to the extent of becoming a belligerent Power or an absolute nationality. I maintain that, in this instance, in reference to these rebellious States, they have acquired a belligerent character which gives them an international status which is entirely incompatible with the Federal status. They are beyond the Federal system. . . . the States stand where they may be regarded by the House as a foreign Power . . . . Our relations are not such as are established by the Constitution . . . .[2]

Stevens agreed in this contention that Virginia had withdrawn from the Union by revolutionary means and pointed out that the Confederate States had been recognized as belligerents by foreign countries and, from the standpoint of international law, by the United States as well.[3] On the basis of this reasoning both Conway and Stevens denied any constitutional status whatever to the Reorganized Government of Virginia. Conway argued that if the entire personnel of a State government broke away from the federal structure, then the State as an entity in that federal structure ceased to exist.

The vacation of all the offices of a State, by a due conviction of their incumbents of any crime, and the failure of the people to reelect according to the terms of the Constitution, or any event not provided for in the Constitution by which it would be left without agents to carry it on, would, of course, necessitate its failure. But this would be the end of the State. No man, or set of men, of their own will, would be authorized to assume its functions. The unlegalized mass would have no [legal] rights in the premises.[4]

The Congressman from Kansas went on to ask

what right Mr. Pierpont would have to assume the office of Governor over any other individual who might wish it. Where did the law come from which gave him his warrant? From a mob or a mass meeting? Neither mobs nor mass meetings make laws under our system.[5]

Therefore, argued Conway, the Second Wheeling Conven-

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[2]*Congressional Globe*, 37th Cong., 3d sess., Part 1, p. 45, col. 3. *Vide* also *ibid.*, p. 38, col. 1.
[3]*Ibid.*, p. 50, col. 3.
[4]*Ibid.*, p. 38, col. 1.
[5]*Ibid.*, p. 37, col. 1.

tion was "without any legal authority whatever" and the Reorganized Government of Virginia had no constitutional status.[6] Thaddeus Stevens was of the same opinion. The majority of the people of Virginia constituted the State of Virginia; if they were traitorous, the State was bound by their treason; if they did not consent to the separation of West Virginia, then the new State could not constitutionally be admitted into the Union in accordance with Article IV, Section 3, clause 1.[7]

> Now then, how has that State ever given its consent to this division? A highly respectable but very small number of the citizens of Virginia—the people of West Virginia—assembled together, disapproved of the acts of the State of Virginia, and with the utmost self-complacency called themselves Virginia. Now, is it not ridiculous? . . .
>
> The State of Virginia, therefore, has never given its consent to this separation of the State. . . .[8]

According to Conway, parts of Virginia occupied by federal forces constituted a territory of the United States, just as would any other land which might fall into her possession through conquest, discovery, or purchase[9] and could be erected into a new State and brought into the Union on that basis alone.[10]

The doctrine that secession as a revolutionary measure had removed Virginia from the Union was not accepted by the fellow Congressmen of Conway and Stevens who debated on the constitutionality of the issue raised by West Virginia's petition. They repudiated the possibility of secession and declared the Constitution and laws of the United States in full force throughout the Southern States, even though not obeyed therein.[11]

The real attack on the status of the Reorganized Government was launched by those who regarded the loyalist legislative body sitting at Wheeling as a "rump" body that did not truly represent the State of Virginia. Attorney General Bates declared that a State legislature must

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[6] *Ibid.*, p. 37, col. 3.
[7] *Ibid.*, p. 50, col. 1.
[8] *Ibid.*, p. 50, col. 2.
[9] *Ibid.*, p. 38, col. 1, and p. 45, col. 3.
[10] *Ibid.*, p. 38, col. 1, and p. 50, col. 3.
[11] *Ibid.*, p. 55, col. 3, and p. 48, col. 3.

be a body truly "representing and governing the whole" of a State,[12] whereas the Wheeling legislature represented only a small fraction of Virginia and was

> composed chiefly, if not entirely, of men who represent those forty-eight counties which constitute the new State of West Virginia. . . . And who made the agreement, and with whom? The representatives of the forty-eight counties with themselves. . . . Is that a legitimate exercise of a constitutional power by the *legislature of Virginia?* It seems to me that is a mere abuse, nothing less than attempted *secession*, hardly veiled under the flimsy forms of law.[13]

Senator Lazarus W. Powell of Kentucky declared in the Senate:

> . . . I do not believe it was ever contemplated by the Constitution of the country, that less than one-fourth of the people constituting a State should in revolutionary times like these form themselves into a Legislature and give their consent to themselves to form a new State within the limits of one of the States of this Union.[14]

And in the House of Representatives his views were echoed by John J. Crittenden of Kentucky,[15] Thaddeus Stevens of Pennsylvania,[16] and Henry L. Dawes of Massachusetts.[17] The last named Congressman stressed the fact that the Reorganized Government of Virginia had been set up merely for the purpose of approving the erection of a State of West Virginia. Speaking of the First Wheeling Convention,[18] Dawes said:

> In every one of the primary assemblies, so far as I have been able to trace them, the question discussed as the object of electing delegates, the declaration of the primary meetings, was that the election was of delegates to a convention, not for the purpose of reestablishing or setting in motion the government of the State of Virginia, but to erect a new State government in West Virginia. That convention, so far as it came up in the primary assemblies . . . assembled for that purpose. It was then . . . that they concluded the only practicable way of accomplishing that end, to wit, the erection of a State government in Western

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[12] Opinion dated December 27, 1862. *Official Opinions of the Attorneys General of the United States*, vol. x, p. 432.

[13] *Ibid.*, pp. 431-432. *Vide* also Secretary Welles's Opinion dated December 29, 1862, in Nicolay and Hay, *Abraham Lincoln*, vol. vi, p. 305, and an entry in his diary dated December 4, 1862, in *Diary of Gideon Welles*, vol. i, p. 191.

[14] *Cong. Globe*, 37th Cong., 2d sess., Part 4, p. 3320, col. 1.

[15] *Cong. Globe*, 37th Cong., 3d sess., Part 1, p. 46, col. 3 and p. 47, col. 1.

[16] *Ibid.*, p. 50, col. 1.

[17] *Ibid.*, p. 48, col. 3.

[18] Although Dawes confuses this assembly with the Second Wheeling Convention, the sentences here quoted obviously refer to the First Wheeling Convention.

Virginia, must be through the action of that convention to set in motion a State government to be called the State government of the whole of Virginia. Then, that that government should have two things to do: first, to set up a new State within itself; and secondly, to give its consent . . .[19]

Two Virginia Congressmen, William G. Brown and Jacob B. Blair, seeking to diminish the force of the argument that the whole proceeding was in fact nothing more than the people of northwestern Virginia giving their consent as the State of Virginia to their own separation from Virginia as the State of West Virginia, pointed out that the legislature of the Reorganized Government which gave its consent contained representatives of a few counties other than those which would fall within the boundaries of the proposed new State of West Virginia.[20] But this argument was demolished by Congressman Henry L. Dawes of Massachusetts, who remarked:

It is true that a representative was picked up . . . in Fairfax, and that two or three gentlemen in other parts of the State were procured; but they protested that they did not pretend to represent the counties from which they hailed. So far as I know, I do not believe there is a single person representing any portion of that part of Virginia which is left [after the separation of West Virginia], who ever consented to the erection and admission of this new State. Not one.[21]

More forceful than the ingenuous contention of the Virginia Representatives was the assertion of Congressman Maynard of Tennessee that the essential identity of those petitioning and those granting the petition for separation might occasion doubts as to the expediency or wisdom of the proceeding, but that this raised no constitutional difficulties.[22] Maynard wished to argue the constitutional question on legal grounds, and not to be drawn off into ethical or irrelevant factual disputation.

Indeed, the fact that the Second Wheeling Convention and the Reorganized Government represented only a loyal fragment of Virginia was inescapable; consequently advo-

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[19] *Cong. Globe*, 37th Cong., 3d sess., Part 1, p. 48, cols. 2-3.
[20] *Ibid.*, p. 39, col. 1, and p. 48, col. 3.
[21] *Ibid.*, p. 48, col. 3.
[22] *Ibid.*, p. 49, col. 2.

cates of separation stressed *de jure* rather than *de facto* arguments. The first step in their chain of reasoning was a justification on "first principles" of the Reorganized Government. Congressmen William G. Brown of Virginia, Schuyler Colfax of Indiana, Abraham B. Olin of New York, Thomas M. Edwards of New Hampshire, John W. Noell of Missouri, and John A. Bingham of Ohio argued that secession was impossible, and that after the personnel of the regular government of Virginia had refused to conform to constitutional provisions necessary to constitute it a legal State government, all executive and legislative authority of necessity reverted to the people, to whom it originally belonged.[23] Representative Brown in reply to Conway's remark that neither mobs nor mass meetings confer constitutional authority under our system of government, stated this position clearly and concisely as follows:

> If my friend, who is rather inclined to call the convention at Wheeling a mob, will turn to the Declaration of Independence, he will there find the great principle laid down that the legislative powers of the people cannot be annihilated; that when the functionaries to whom they are intrusted become incapable of exercising them, they revert to the people, who have the right to exercise them in their primitive and original capacity.[24]

Then, continued the argument, the loyal people of Virginia, to whom had reverted all executive and legislative powers, set up a new State government by revolutionary means — the only way open to them in this emergency.[25] As Congressman Olin frankly admitted:

> Neither the forms of law nor anything else to give a shadow of legal authority was in the hands of the friends of the Union. It was simply a movement of the people without any of the forms of law, when the formation of a State government was attempted by the people of Western Virginia. . . . it was in every sense, as against the State of Virginia, a revolutionary movement, justifiable only by the necessity of the case. . . . The people of Western Virginia were justified by that great "higher law" of self-protection and of fidelity to the Union.[26]

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[23] *Ibid.*, p. 47, cols. 1 and 3, and p. 39, col. 1.
[24] *Ibid.*, p. 38, col. 3.
[25] *Ibid.*, p. 43, col. 2, p. 47, col. 3, and p. 53, cols. 2 and 3.
[26] *Ibid.*, p. 45, col. 1.

But this action, although revolutionary, was not unconstitutional from the federal viewpoint, for there is nothing in the Constitution that prevents the people of a State from ending by revolutionary means one State constitution and adopting another, as long as nothing done in this process violates the federal Constitution.[27]

The next step in the *de jure* argument advanced by friends of West Virginia's admission was the contention that the Reorganized Government legally represented the whole State of Virginia. Congressman John A. Bingham of Ohio in the House of Representatives and Secretary Chase in the Cabinet urged that the loyal element in Virginia, although a minority of the total population, nevertheless constituted the State of Virginia.[28] A related argument was advanced by Congressmen Bingham of Ohio, William G. Brown of Virginia, and Thomas M. Edwards of New Hampshire to the effect that the Second Wheeling Convention and the legislature of the Reorganized Government were bona fide bodies, inasmuch as prior notice of the election of members thereto was duly advertised, and neglect or refusal to vote on the part of those duly qualified to vote could not invalidate an election which in other respects was regularly conducted.[29] As Edwards declared:

> If all did not choose to be present and act, then the action of those who did assemble and act is just as legal and constitutional as if all had assembled and acted. If any notified were prevented from being present, it is not alleged that they were prevented by those who ask creation of the new State. . . .[30]

But the most thorough discussion of this point is to be found in President Lincoln's statement of reasons for approving West Virginia's admission into the Union. Therein he said:

> The consent of the Legislature of Virginia is constitutionally necessary to the bill for the admission of West Virginia becoming a law. A

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[27] *Ibid.*, p. 57, col. 1.
[28] *Ibid.*, p. 57, cols. 1-2; and Secretary Chase's Opinion dated December 29, 1862, in Nicolay and Hay, vi, pp. 301-302.
[29] *Cong. Globe*, 37th Cong., 3d sess., Part 1, p. 56, col. 3.
[30] *Ibid.*, p. 47, col. 3.

body claiming to be such Legislature has given its consent. We cannot well deny that it is such, unless we do so upon the outside knowledge that the body was chosen at elections in which a majority of the qualified voters of Virginia did not participate. But it is a universal practice . . . to give no legal consideration whatever to those who do not choose to vote. . . . Hence it is not the qualified voters, but the qualified voters who choose to vote, that constitute the political power of the State. Much less than to non-voters should any consideration be given to those who did not vote, in this case; because it is also matter of outside knowledge that they were not merely neglectful of their rights under . . . this Government, but were also engaged in open rebellion against it. Doubtless among these non-voters were some Union men whose voices were smothered by the more numerous secessionists; but we know too little of their number to assign them any appreciable value. Can this Government stand, if it indulges constitutional constructions by which men in open rebellion against it are to be accounted, man for man, the equals of those who maintain their loyalty to it? Are they to be accounted even better citizens, and more worthy of consideration, than those who merely neglect to vote? If so, their treason against the Constitution enhances their constitutional value! . . .[31]

The third step in the argument developed by defenders of the Reorganized Government was to the effect that the question of the legal status of that regime had already been definitely determined by the executive and legislative organs of the federal government. They pointed out that the President had recognized the Reorganized Government as the true governing body of Virginia, that the Senate had recognized it by admitting Senators elected by its legislature, and that the House of Representatives had done the same by admitting Congressmen elected under writs issued by Governor Pierpont.[32] Congressman Abraham B. Olin of New York, indeed, considered this argument the most telling of all, and declared it was mainly on this account that he was prepared to vote for admitting West Virginia into the Union.[33]

But it was not equally convincing to Congressman Conway of Kansas or to Secretaries Blair and Welles and Attorney General Bates. Conway declared that he had understood the recognition of Senators and Congressmen

[31]Nicolay and Hay, vi, pp. 309-310.
[32]*Cong. Globe*, 37th Cong., 2d sess., Part 4, p. 3319, col. 3; and *Cong. Globe*, 37th Cong., 3d sess., Part 1, p. 38, col. 3, p. 43, col. 2, p. 44, cols. 2-3, and p. 53, col. 2.
[33]*Ibid.*, p. 45, col. 1.

from Virginia had been based upon a recognition of the Reorganized Government by the President, "it being assumed that the recognition of this State was an executive function," and that this sort of recognition was not conclusive.[34] But the real attack on the argument that prior recognition had already established the status of the Reorganized Government was developed in the Cabinet. Secretary Welles complained that revolutionary conditions having necessitated federal recognition of the Reorganized Government, it was unfair to take advantage of the situation to destroy the unity of Virginia.[35] Attorney General Bates took the position that recognition had been limited and extended only to "a provisional government, proper and necessary for the legitimate object for which it was made and recognized. That object was not to divide and destroy the State, but to rehabilitate and restore it."[36] Secretary Blair further elaborated on this point. He contended that recognition already extended by the President and Congress was "confessedly merely technical, . . . given . . . for certain temporary purposes," which did not include an attempt to dismember Virginia permanently. It was just, he admitted, that the loyal people of northwestern Virginia should be represented in Congress; but it was unjust that they should divide the State to the injury of loyalists, much greater in number, held in subjection in the rest of the State. Thus the United States was not, in this situation, bound by the logic of prior recognition; and, even if it were, then it was time to acknowledge "we have hitherto been wrong, and . . . recede from the positions hitherto taken."[37]

The argument of qualified recognition advanced by Welles, Blair, and Bates, which was a moral rather than a legal argument, was disposed of as a constitutional contention by two of their Cabinet colleagues, Secretaries Seward and Chase. The latter declared that recognition

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[34] *Ibid.*, p. 38, col. 1, and p. 44, col. 1.
[35] Opinion dated December 29, 1862, in Nicolay and Hay, vi, p. 305.
[36] *A. G. Op.* x, p. 431.
[37] Opinion dated December 26, 1862, in Nicolay and Hay, vi, p. 308.

of the Restored Government for some purposes constituted recognition for all purposes,[38] while Seward said:

> If it be a State competent to be represented in Congress and bound to pay taxes, it is a State competent to give the required consent of the State to the formation and erection of the new State of West Virginia within the jurisdiction of Virginia.[39]

In the House of Representatives, Joseph Segar of Virginia spoke, not against the Reorganized Government, which was the focal point of attack for other opponents of West Virginia's admission, but against the validity of the consent of West Virginia herself. He asserted that, of the 48 counties to compose the new State of West Virginia, 11 had no part in establishing the new State, 3 others were never represented either in the loyalist Virginia House of Delegates or in the West Virginia constitutional convention; 10 counties did not cast a single vote in the plebiscite for the new State, or on its constitution; 3 counties included within the boundaries of West Virginia were violently opposed to their inclusion; and the ordinary vote of the counties composing the new State was vastly greater (48,000) than the vote cast for the adoption of the new West Virginia constitution (19,000).[40] Thus, declared Congressman Segar, "There has not been that general, close representation of the people included within the limits of the proposed new State, which is absolutely necessary to impart legality to all governments among us."[41]

Another argument advanced by Segar in the House of Representatives concerned the condition insisted upon by the Senate that West Virginia provide for the gradual elimination of slavery in her constitution before being admitted into the Union. Segar objected that this requirement violated the

> great principle . . . that the States shall have the exclusive regulation of their own domestic affairs and the formation for themselves of their own domestic institutions, free from all congressional interference, for . . .

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[38]Opinion dated December 29, 1862, in *ibid.*, vi, p. 302.
[39]Opinion dated December 26, 1862, in *ibid.*, vi, p. 301.
[40]*Cong. Globe*, 37th Cong., 3d sess., Part 1, p. 54, cols. 1-2.
[41]*Ibid.*, p. 54, col. 1.

the Constitution requires but one condition preliminary to the admission of a new State: namely a republican form of government.[42]

Whether Segar launched this argument as a constitutional objection to West Virginia's admission is uncertain from the phraseology he employed, but if so it was effectively countered by Congressman Bingham's observation that almost every new State which had been admitted into the Union had been required to comply with conditions laid down by Congress.[43]

The only other constitutional objection to Virginia's partition was voiced by Attorney General Bates, who appealed to the phrase in the Constitution "without consent of the Legislature and of the States concerned."[44] The Cabinet officer contended that this applied not only to Virginia, but to West Virginia as well, and that "it is not pretended that the legislature of West Virginia has consented, nor that there is, in fact, any such legislature to give consent."[45] President Lincoln effectively answered this argument in the following words:

I do not think the plural form of the word "Legislatures" and "States" . . . has any reference to the new State concerned. That plural form sprang from the contemplation of two or more old States, contributing to form a new one. The idea that the new State was in danger of being admitted without its own consent was not provided against, because it was not thought of, as I conceive. . . .[46]

In reviewing the constitutional arguments pro and con advanced by various Congressmen, Senators, Cabinet members, and the President relative to West Virginia's petition for entrance into the Union, it appears that proponents of admission built up the better case. The assertion of Conway and Stevens that Virginia was out of the Union was proved by events to be untrue. From a constitutional point of view the whole issue of the Civil War was the legality of secession. Whatever readjustment in constitutional theory might have been necessitated by the

[42]*Ibid.*, p. 54, col. 3.
[43]*Ibid.*, p. 58, col. 3.
[44]Art. IV, Sect. 3, clause 1.
[45]Opinion dated December 27, 1862, in *A. G. Op.*, x, p. 429.
[46]Nicolay and Hay, vi, p. 310.

victory of the Confederate States of America, the victory of the Union forces vindicated the constitutional argument of the North that secession was impossible.

The contention of Secretary Welles and Attorney General Bates, Senator Powell, and Congressmen Crittenden, Stevens, and Dawes that the Reorganized Government was a "rump" regime, unrepresentative of the whole State, no more than a device set up by the people of northwestern Virginia for the purpose of sanctioning their own separation from Virginia, was indisputable; and efforts of Congressmen Brown and Blair partially to disguise that naked fact were hopelessly ineffective. But, as a matter of fact, this admission when made was by no means fatal to the cause of West Virginia. After all, a constitutional issue is a legal issue, and from a legal standpoint the proponents of admission had a strong case. Congressman John J. Crittenden of Kentucky, opponent of Virginia's partition, really admitted this in replying to a query addressed to him by one of his colleagues:

> Sir, I will not be drawn into the discussion of such technical questions. I appeal to the broad facts which are known to us all, and upon them I stand. I do not go upon constitutional or legal fictions at all. They are all in the gentleman's favor. I go upon the facts, upon the truth in the case, and every man here knows it. I agree with the gentleman that in law the Legislature at Richmond is just as illegal as this whole rebellion. I agree to that, but that does not make the Wheeling government the government of the whole State of Virginia, except by a mere fiction. We know the *fact* to be otherwise.[47]

Opponents of admission kept insisting on the *fact* that the majority of people over whom the Reorganized Government asserted legal jurisdiction neither had nor desired to have a voice in that government; but they never satisfactorily answered the argument that, if the majority deliberately repudiate their rights and duties, then there can be no just cause for complaint if the minority that do continue to exercise their rights and duties take a course of action objectionable to the recalcitrant majority. President Lincoln's question, "Are they to be accounted even

[47] *Cong. Globe,* 37th Cong., 3d sess., Part 1, p. 47, col. 1.

better citizens, and more worthy of consideration, than those who merely neglect to vote?", is crushing in its finality.

The steps by which proponents of admission built up their argument for the legality of the Reorganized Government were precise and logical. First, a revolutionary beginning, a clean break with the old Virginia governmental fabric, but not involving any action that conflicted with the federal Constitution. Second, due notice to all Virginians that elections were to be held, and participation therein of a sizeable group of loyal Virginians, without any subsequent complaint on the part of a single loyalist in the State as to the conduct of those elections. Third, recognition by the political branches of the federal government that the Reorganized Government was the only government of Virginia. The contention that recognition was limited does not hold up, especially in view of the fact that Congress and the President by approving the admission of West Virginia thereby acknowledged the recognition to be ample for the purpose in question. Segar's argument to the effect that West Virginia herself had not consented to the separation is unconvincing, for the plebiscite seems to have been conducted as fairly as existing circumstances permitted, and the greater number of people included within the new State boundaries manifestly desired separation from Virginia, not only at the time of the plebiscite but for years prior to and subsequent to that date. As to the remaining contentions: that conditions imposed by Congress were unconstitutional, and that consent of the legislature of West Virginia was constitutionally necessary, suffice it to say that practice had overruled and annulled any possible objection to a condition imposed by Congress, while the wording of the Constitution does not conspicuously support the latter contention. In short, however telling the arguments which opponents of admission might find in the realms of political ethics or political expediency, they could not find convincing arguments in the legal sphere. West Virginia's petition for entrance

into the Union was presented at an unusual time and under unusual circumstances, but the new State nevertheless complied with the requirements laid down in the United States Constitution governing the admission of new States.

When Lincoln, on December 31, 1862, signed the bill providing for West Virginia's admission into the Union he added executive approval to legislative sanction, expressed by passage of the measure in the Senate on July 14 and in the House of Representatives on December 10. The constitutional convention of West Virginia shortly thereafter made those changes in the constitution which Congress required, and on June 20, 1863, West Virginia entered the Union as the thirty-fifth State. Waitman T. Willey and Peter G. Van Winkle were elected United States Senators by the West Virginia legislature on August 4 and, after some formal objection, were duly admitted to the Senate. Soon thereafter three Representatives from the newly formed congressional districts of West Virginia were admitted to the House of Representatives. After the Civil War, Virginia acquiesced in the separation of West Virginia, and the decisions of her own judiciary conceded the legality both of the new State and of the Restored Government of Virginia; consequently the Supreme Court of the United States never found it necessary to deal with a direct challenge of the constitutionality of West Virginia's entrance into the Union.

But an ancillary issue, the constitutionality of the inclusion of Berkeley and Jefferson counties within the State of West Virginia, was brought before the Court shortly after the Civil War ended; and the decision handed down forms part, although a minor part, of the whole question raised by West Virginia's admission into the Union. The facts of the case[48] were these: The Second Wheeling Convention on August 20, 1861, directed the people of northwestern Virginia to hold a plebiscite on the question of erecting a new State and to choose delegates to a constitutional convention. The first section of this ordi-

[48] *Virginia v. West Virginia*. 11 *Wallace*, 39-65.

nance passed by the Second Wheeling Convention described the boundaries of the proposed new State, but the third section gave the constitutional convention the right to change these boundaries by the inclusion of several additional counties, Berkeley and Jefferson among others, if the majority of votes cast in each of these counties should be favorable to incorporation into the new State. When the constitution of West Virginia was drawn up, article one, section two provided that if a majority of votes in a district composed of Jefferson, Berkeley, and Frederick counties were favorable to incorporation, then these three counties should be included in the new State; and all through the new constitution, provision was made for the contingency of these counties becoming a part of West Virginia. The constitution provided also that it should not go into effect until approved by the people of West Virginia at an election held on April 3, 1862. Accordingly, an election was held on that day; but no plebiscite was held in Jefferson, Berkeley, and Frederick counties because Confederate forces occupied these counties. Therefore, when the Restored Government of Virginia, on May 13, 1862, passed an act consenting to the erection of the new State of West Virginia, the second section thereof provided:

> That the consent of the legislature of Virginia be, and the same is hereby given, that the counties of Berkeley, Jefferson, and Frederick, shall be included in and form part of the State of West Virginia whenever the voters of said counties shall ratify and assent to the said constitution, at an election held for the purpose, at such time and under such regulations as the commissioners named in the said schedule may prescribe.

But when Congress on December 31, 1862, passed an act admitting West Virginia into the Union it mentioned by name the 48 counties included within its boundaries, and made no reference to Berkeley or Jefferson counties.

The next step was taken by Virginia on January 31, 1863, when the Reorganized Government passed an act calling for a plebiscite to be held in Berkeley County on

the question of its incorporation into West Virginia. This act stated that the governor of Virginia "if of opinion that the said vote has been opened and held, and the result ascertained and certified pursuant to law, shall certify the result of the same under the seal of this State, to the governor of the said State of West Virginia"; and if a majority of votes validly cast should favor incorporation into West Virginia, then the county should become part of the new State when admitted by the legislature of West Virginia. A somewhat similar act was passed by the Reorganized Government on February 4, 1863, relating to the possible transfer to West Virginia of several other counties, Jefferson County among them. Under the authority of these two acts, elections were held in Berkeley and Jefferson counties; and, the results being favorable to incorporation into the new State, Governor Pierpont of Virginia certified the same to Governor Boreman of West Virginia. Thereupon the West Virginia legislature passed acts consenting to the admission of Berkeley and Jefferson counties, and the jurisdiction of the new State was extended over the two counties in question.

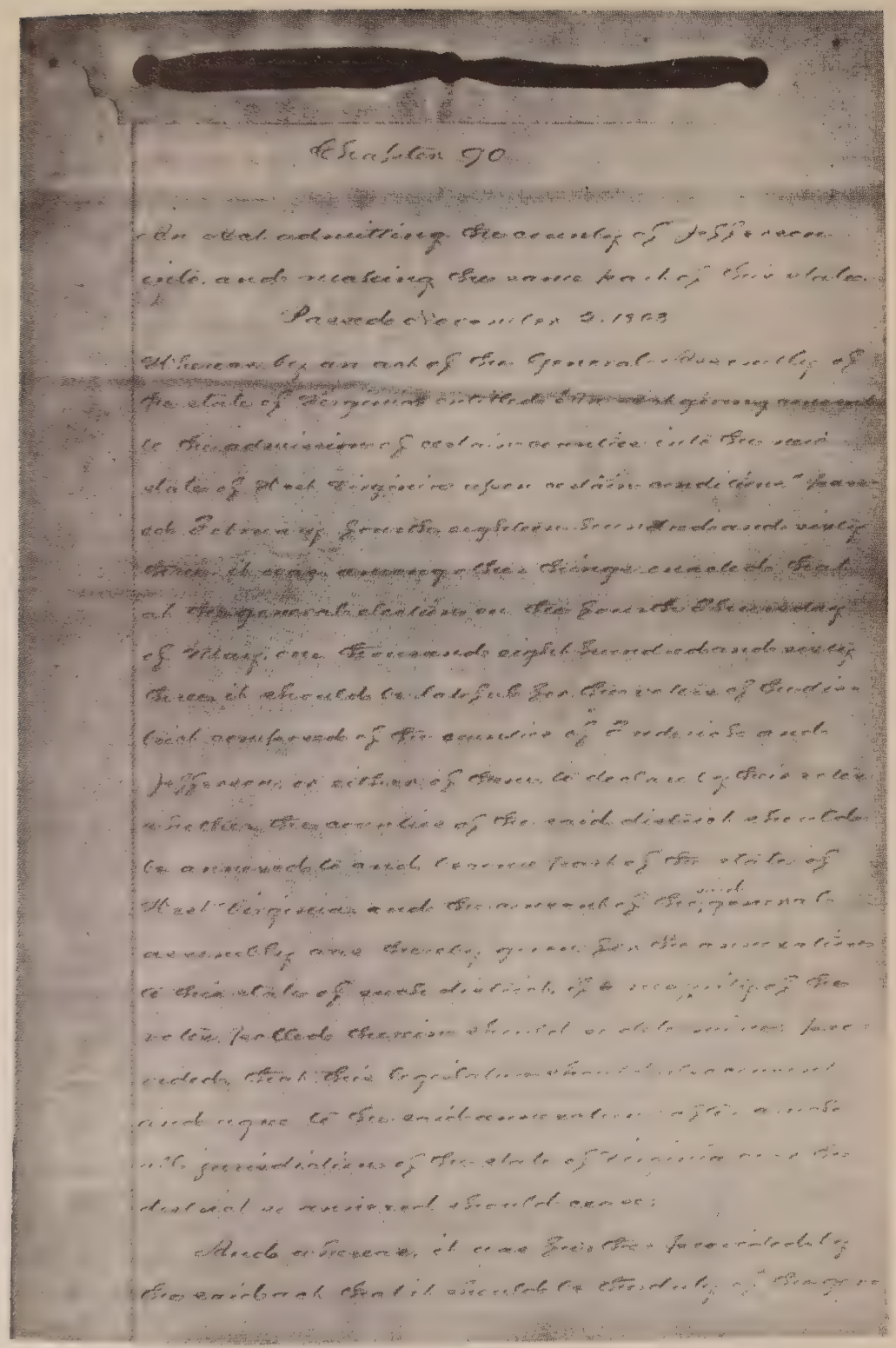
In the autumn of 1865, however, Confederate soldiers who returned to Jefferson County expressed a preference for the jurisdiction of Virginia rather than that of West Virginia, and preparations were made for opening the polls in Jefferson County on October 12 for the election of members to the general assembly of Virginia. Governor Boreman heard of this project and issued a proclamation forbidding it; consequently, no such election was held. Thereupon the general assembly of Virginia on December 5 passed an act repealing the second section of the act passed May 13, 1862, and the acts passed January 31 and February 4, 1863; at the same time it specifically withdrew Virginia's consent to the transfer of jurisdiction over the counties therein mentioned — Berkeley and Jefferson counties being the only ones involved — on the grounds that the conditions of transfer prescribed therein had not been complied with and that the consent of Congress had

never been given to the arrangement. In answer to an appeal from the authorities of West Virginia, Congress, on March 2, 1866, passed a joint resolution declaring Berkeley and Jefferson counties to be a part of West Virginia. Virginia then brought a bill in equity against West Virginia in the Supreme Court of the United States, praying that the court establish by decree that the counties in question were part of the Commonwealth of Virginia and under her jurisdiction.

The case was argued in the December term, 1866, but the Court being unable to reach a decision, the case was again called in the December term, 1870. The important issues presented were two in number. First, Virginia asserted that the plebiscites held in Berkeley and Jefferson counties in 1863 were partial and fraudulent, that had Governor Pierpont not been deceived as to the fairness of those elections he would never have certified the results to Governor Boreman, and therefore no true plebiscites had ever been held in Berkeley and Jefferson counties, so the condition upon which the counties were to pass to West Virginia had not been fulfilled. Second, Virginia contended that even if the elections had been fairly conducted and therefore valid, still there was a fatal defect in the arrangement, namely, that Congress had never given its consent prior to March 2, 1866, almost three months after Virginia had withdrawn her consent and thereby terminated the agreement. Relying on that clause of the Constitution which declares "no State shall, without the consent of Congress . . . enter into any agreement or compact with another State,"[49] Virginia contended that West Virginia having been admitted into the Union by act of Congress and proclamation of the President without any reference whatever to the counties of Berkeley and Jefferson, the consent of Congress could not be alleged to have been given.

But the Court, speaking through Mr. Justice Miller, held otherwise. In the first place, it found no concrete ex-

[49]Art. I, Sect. 10, clause 3.



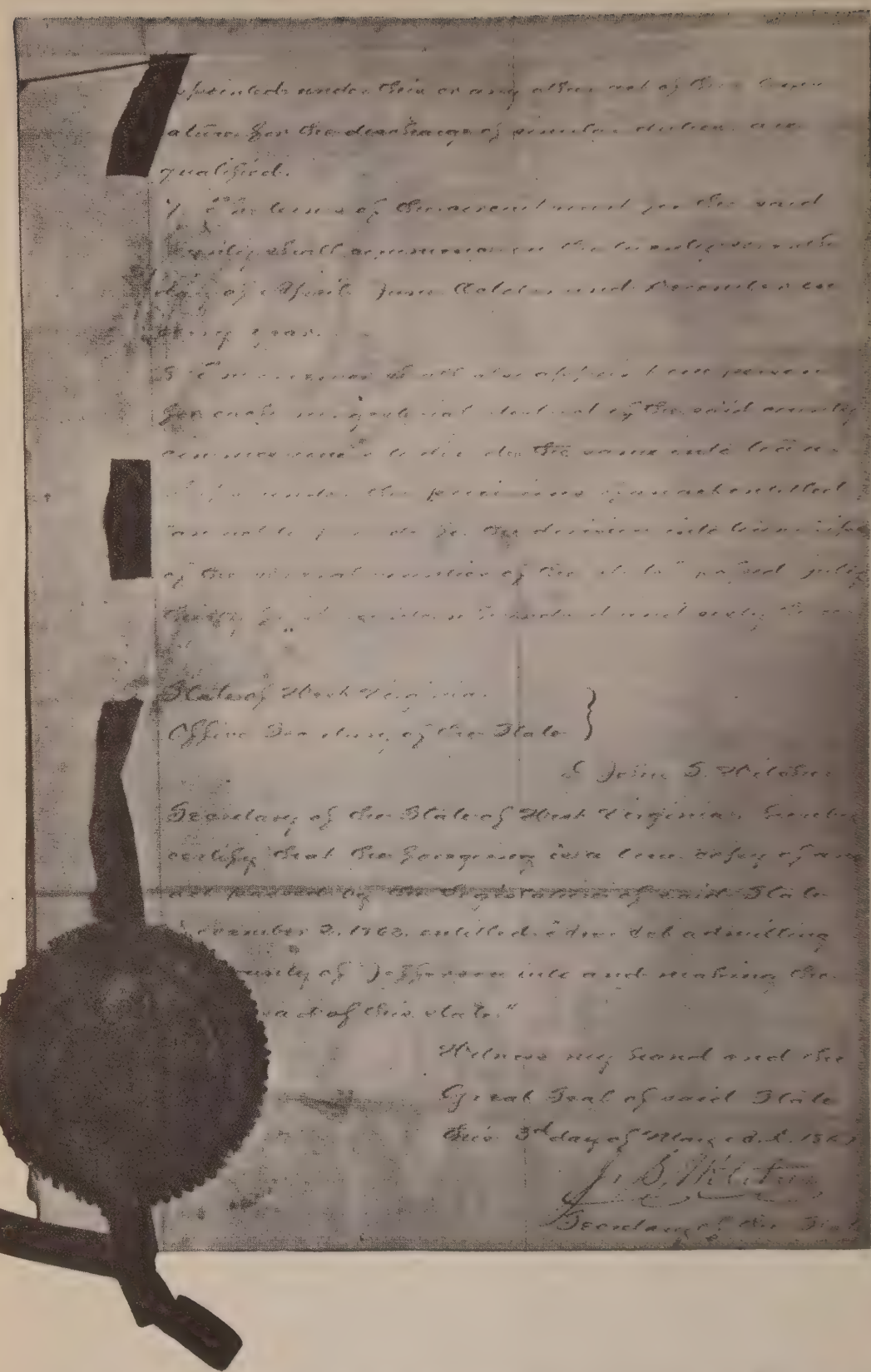
Chapter 90.

An Act admitting the county of Jefferson into, and making the same part of this state.

Passed December 2, 1863

Whereas, by an act of the General Assembly of the state of Virginia entitled "An act giving consent to the admission of certain counties into the said state of West Virginia upon certain conditions," passed February twenty-eighth, eighteen hundred and sixty-three, it was among other things provided that at the general election on the fourth Thursday of May, one thousand eight hundred and sixty-three it should be lawful for the voters of Berkeley and Jefferson or either of them to declare by their votes whether the counties of the said districts should be admitted and become part of the state of West Virginia, and the assent of the said general assembly was thereby given for the said counties to this state if a majority of the voters qualified therein should vote for the same; and whereas it was further provided that if it should be ascertained that a majority of the voters in the said districts should vote in favor of the said counties, then this legislature should be assembled and give its consent to the said counties, after a compliance with certain conditions of the state of Virginia and the district so assented should cease;

Now, therefore, it was further provided by the said act that it should be the duty of Governor



State of West Virginia,
Office Secretary of the State

I, John S. Witcher,
Secretary of the State of West Virginia, hereby certify that the foregoing is a true copy of an act passed by the legislature of said State December 2, 1863, entitled "An act admitting the county of Jefferson into and making the same a part of this state."

Witness my hand and the Great Seal of said State this 3rd day of May, A.D. 1867

J. S. Witcher
Secretary of the State

The first and last pages of a copy of the Act admitting the county of Jefferson into, and making the same part of the state.

Signed:
JOHN S. WITCHER,
Secretary of State
May 3, 1867

An interesting feature of this manuscript is the attached Seal of the State. This seal, showing both the obverse and reverse sides, is very rare. (Original in West Virginia Department of Archives and History.)

ample of fraud or lack of fairness with respect to the plebiscites held in Berkeley and Jefferson counties, and held that in any event the action of the governor of Virginia in certifying the results under the seal of the State of Virginia to the Governor of West Virginia, as he was authorized to do by the Virginia legislature, was conclusive. In the second place, the Court held that Congress in assenting to the admission of West Virginia had given an implied assent to the agreement between Virginia and West Virginia relative to Berkeley and Jefferson counties. The Court pointed out that Virginia sent to Congress a request that West Virginia be admitted into the Union as a separate State, and that this request contained a provision relating to the possible accession to West Virginia of additional counties (Berkeley and Jefferson included), if those counties by plebiscites assented to the transfer. Moreover, the constitution of West Virginia was literally cumbered with various provisions contingent upon the admission of the new counties. Now, the Court reasoned, since Virginia's ordinance calling a West Virginia constitutional convention, the constitution of West Virginia, and the act of the Virginia legislature of May 13, 1862, all considered the possibility of Berkeley and Jefferson counties, among others, being included within the boundaries of the new State, it must be presumed that the matter came to the attention of Congress.

> To hold otherwise is to suppose that the act for the admission of the new State passed without any due or serious consideration. But the substance of this act clearly repels any such inference; for it is seen that the constitution of the new State was, in one particular at least, unacceptable to Congress, and the act only admits the State into the Union when that feature shall be changed by the popular vote. If any other part of the constitution had failed to meet the approbation of Congress, especially so important a part as the proposition for a future change of boundary between the new and the old State, it is reasonable to suppose that its dissent would have been expressed in some shape. . . ."

This situation, the Court declared, made reasonable the inference that Congress gave an implicit consent to the

[50] 11 *Wallace*, 60.

admission of West Virginia with the contingent boundaries provided for in its constitution and in the Virginia statute which prayed for West Virginia's admission on those terms, and that this necessarily constituted consent to the agreement between Virginia and West Virginia relative to Berkeley and Jefferson counties. Thus Virginia's attempted withdrawal from the compact on December 5, 1865, was ineffective, while the Congressional resolution of March 2, 1866, merely reiterated an approval already accorded.

The Justices were badly divided on this decision, and Mr. Justice Davis wrote a dissenting opinion, in which concurred Mr. Justice Clifford and Mr. Justice Field. The dissenting opinion agreed with the contention of Virginia that Congress did not give its consent to the transfer of Berkeley and Jefferson counties to West Virginia until March 2, 1866, almost three months after Virginia had withdrawn her consent, thus terminating the agreement. Mr. Justice Davis rejected the argument of implied consent, and denied that the constitution of West Virginia, with its numerous provisions relative to the possible admission of additional counties (including Berkeley and Jefferson), could have informed Congress that there was still an agreement between Virginia and West Virginia on the subject. He pointed out that the provision in article one, section two of the constitution proposing the inclusion of the district of Berkeley, Jefferson, and Frederick counties within the new State had not been complied with, so that when the constitution was presented to Congress for approval, the inter-state compact therein evidenced had quite evidently lapsed through non-fulfillment.[61]

Mr. Justice Davis's contention that the constitution of West Virginia, even though familiar to the Senators and Congressmen who debated West Virginia's admission, would not by itself indicate to them the existence of an agreement between Virginia and West Virginia relating to possible incorporation within the latter at some future

[61] *Ibid.*, p. 65.

date of certain counties, Berkeley and Jefferson among them, makes good sense. The wording of the constitution indicated that the plebiscite was to take place within those counties at the same time as in the rest of the proposed State; the plebiscite was not taken in those counties as anticipated; consequently the agreement, so far as its nature could be apprehended from the constitution alone, would appear to have terminated. But Mr. Justice Davis does not go on to consider the act of the Reorganized Government of May 13, 1862, consenting to the separation of West Virginia, with the possible inclusion of Berkeley, Jefferson, and Frederick counties. The majority of the Court thought it reasonable to assume that this act had come to the attention of Congress, and indeed it was brought before the Senate sitting as a Committee of the Whole House on June 26, 1862,[52] and before the House of Representatives on December 9, 1862.[53] A review of the debate on the admission of West Virginia in both houses of Congress shows that there was no further mention of the matter in either the Senate or House of Representatives; but this is not surprising, since the matter would not furnish ammunition for the arguments of either proponents or opponents of West Virginia's admission. While the theory of implied approval should not be applied where there is a reasonable doubt, the majority of the Court in the present instance decided that no such doubt existed. In the minds of three Justices there was a reasonable doubt, consequently they dissented from the majority opinion. Where the facts of a given case can be decided either of two ways by intelligent men, the decision of the majority has as much, if not more, to recommend it as any other. More cannot be said in support of the decision of the Court in *Virginia v. West Virginia*.

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[52] *Cong. Globe*, 37th Cong., 2d sess., Part 4, p. 2942, col. 1.
[53] *Cong. Globe*, 37th Cong., 3d sess., Part 1, p. 39, cols. 1-2.

Early Postal Service in Western Virginia—1792 to 1800

By Delf Norona

A mail bag is an epitome of human life. All the elements which go to form the happiness or misery of individuals — the raw material of human hopes, passions, and fears — here exist in a chaotic state. These elements are imprisoned, like the winds in the cave of Aeolus, biding their time to go forth and fulfill their office, sometimes bringing precious messages of cheer and glad tidings, but sometimes bearing messages of sorrow or ominous forebodings of destruction.

This was as true in the then remote outposts of civilization in western Virginia toward the close of the Eighteenth Century as it is today. The assertion may be made that the means of communication in a community is evidence of the state of society in that community, and a study of the genesis of the United States postal service in western Virginia is of interest to the student of West Virginia history.

Soon after the adoption of the Constitution of the United States an act of Congress was passed providing for the temporary establishment of the post office.[1] Samuel Osgood, the first postmaster general under the Constitution, submitted a report showing that there were seventy-five post offices in the United States, and that the main line of post roads on which the majority of these offices

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[1]Act of September 22, 1789. Data as to the dates of establishment of post offices, names of deputy postmasters, dates on which accounts were rendered, and compensation received (unless otherwise mentioned), is taken from *Message from the President of the United States, transmitting a roll of the Persons having Office or Employment under the United States* (Washington City, William Duane, 1802) as of December 31, 1800, and from data furnished by the First Assistant Postmaster General, Washington, D. C., on August 12, 1940.

were located ran from Wiscassett in Massachusetts to Savannah, Georgia.[2] There were, in addition, a number of what were then called "cross roads" or cross routes connecting other post towns with the main line.

At that time there were no post offices or post routes in what is now West Virginia. The nearest post route to western Virginia was one of the cross roads extending from Philadelphia, through Chambersburg and Bedford, to Pittsburgh. Pittsburgh was the nearest post town to Wheeling at that time, and any mail addressed to a person living in northwestern Virginia was held at the Pittsburgh post office until called for. The Philadelphia-Pittsburgh route had been created during the period of the Confederation by a resolution adopted in 1788[3] which provided for a regular fortnightly transportation of mail between those towns. The total amount collected for postage on letters mailed at all seven towns on that route during the last three months of 1789 was about seventy-five dollars.[4] The contractor made six trips in all during that quarter, and, with the high rates of postage then prevailing, it will be seen that only a very few letters were in the carrier's custody at one time and his mail bag was certainly not overloaded.

Congress gave the postmaster general authority to establish post offices and appoint "deputy" postmasters and contractors for carrying the mail over the post roads or post routes. Congress however, always retained the right to create post roads.[5] This should be borne in mind in considering the subject of early postal history. The fact that a post road (post route) was created by law is no proof that mail was actually carried over that route or that post offices were established on it by the postmaster general. And, when a post office was established, there was sometimes a considerable delay between the date of its estab-

[2]Report of Samuel Osgood, New York, April 24, 1790.
[3]Resolution of May 20, 1788.
[4]Report of Samuel Osgood, April 24, 1790.
[5]Postmaster general to General Pinckney, December 21, 1799. See also acts of Congress.

lishment and the date when it was first opened for public business.

The first route established over West Virginia's hills was one from Alexandria by Salisbury and Leesburg, in Virginia, through Shepherdstown and Martinsburg, in West Virginia, then back into Virginia to Winchester, Stevensburg, Strasburg, Woodstock, Rockingham Court House, and Staunton, a distance of about 112 miles. This route was established by an act of Congress to take effect June 1, 1792.[6] A post office was established at Martinsburg on June 30, 1792; this was West Virginia's first post office. The data is lacking, but in all probability an office was opened at Shepherdstown at the same time. However, the name of the first post rider and the date on which the first United States mails were carried into West Virginia is unknown, and he and his post horse have galloped out of the pages of history. David Hunter was appointed deputy postmaster at Martinsburg on June 30, 1792; he was succeeded by Evan Shelby on August 10, 1793, by Isaac Shelby on April 16, 1796, by William Riddle on February 8, 1799, and by Roger C. Willis on June 8, 1799. Martinsburg, therefore, had five different deputy postmasters during the eighteenth century.

The next act of Congress to create post routes through western Virginia fixed June 1, 1794, as the date of its effectiveness[7] and again mentioned the route just referred to. The act also created a route between Martinsburg and Liberty, but apparently no post office was put into operation at the latter town.

Three other routes were also established by the 1794 act of Congress.

One of these ran from Hagerstown, through Hancock, Oldtown, and Cumberland, in Maryland, to Morgantown, thence to Uniontown in Pennsylvania, with its terminus at Brownsville. This route was some 190 miles in length.

The date of establishment of a post office at Morgan-

[6]Act of February 20, 1792.
[7]Act of May 8, 1794.

town is not available. Peregrine Foster rendered the first account as deputy postmaster as of January 1, 1795, and Hugh McNeely rendered his first account as deputy postmaster as of January 1, 1796.

Soon after the Hagerstown to Brownsville route was created, the postmaster general was authorized by Congress to alter the location of that section of the road from Cumberland through Morgantown and Uniontown to Brownsville, if it "could be made more condusive to the public interest than the present route, yet so as to afford the same accommodation" to those places, provided the contractor for carrying the mails would consent to the alteration. The discontinuance of the section between Cumberland and Morgantown was recommended[8] because of its high cost, and it was considered that Morgantown could be better accommodated by a weekly mail through Somerset and Uniontown. The only settlements worthy of note on the section between Cumberland and Morgantown were Dunkers Bottom and Sandy Creek Glades, and the postmaster general considered that nothing would be gained by establishing offices at those places. The mail contractor, however, refused to surrender his contract, which expired April 1, 1798; on its expiration the contract was not renewed. Presumably, when a new contract was made the main line went from Cumberland to Uniontown and a new route put into operation between Uniontown and Morgantown.

It would be interesting if the course taken by the mail carriers on these post routes could be determined to see how nearly they correspond with the actual roads then in existence.[9]

In 1797[10] a post route was established from Morgantown to Clarksburg, forty miles in length,[11] through Petty John. No post office, however, was established at Petty John. This was the first post route to lie wholly within the present borders of West Virginia. Hugh McNeely, already men-

[8]Postmaster General to James Macher, February 22, 1799.
[9]An interesting account of early roads in western Virginia will be found in Conley's *West Virginia, Yesterday and Today* (Charleston, 1931), pp. 245-250.
[10]Act of March 3, 1797.
[11]*The Post Office Law with Instructions*, &c, 1798, p. 96.

tioned, was the deputy postmaster at Morgantown in 1800, and he was paid $39.67 for his services. The date of establishment of the post office at Clarksburg is not available. John Webster rendered the first account as deputy postmaster as of April 1, 1798. His compensation for 1800 was $29.72. In the absence of exact figures as to the amount of mail handled at individual post offices, some interesting deductions may be made in endeavoring to ascertain the approximate number of letters handled at various offices.

Deputy postmasters were paid on a commission basis, thirty per cent on the first hundred dollars collected for postages, twenty-five per cent on sums from one hundred to three hundred, and so on, on a decreasing scale.[12] Letters were charged with postage according to the number of sheets composing them and the distance carried. At a rough estimate the average postage on a letter in 1800 was twenty cents. On this basis Hugh McNeely of Morgantown handled about 700, and Welster (Webster) of Clarksburg 500 letters during 1800, not including their own "free" letters, for deputy postmasters could send their personal mail post free. In thus estimating the amount of mail handled, it will be noted what a small number of letters were written at that time.

In 1793 Morgantown became the terminus of a post route from Pittsburgh, established under the *Pittsburgh Gazette* management, which distributed its papers by private post riders both before and after the United States mails reached Pittsburgh in 1788.[13]

The next route for consideration established in 1794 was one from Staunton to Bath Court House, in Virginia, thence to Sweet Springs and Greenbrier Court House (Lewisburg) in West Virginia. This route was 123 miles in length, and the section from Sweet Springs to Greenbrier Court House was thirty miles by the post road.

The date of establishment of the post office at Greenbrier Court House is not available. Jacob Skites rendered

[12]Act of March 3, 1797, sec. 5, in *ibid.*, p. 32.
[13]James M. Callahan, *Semi-Centennial History of West Virginia* (Charleston, 1913), p. 63.

the first account as deputy postmaster as of January 1, 1795, and James W. Matthews rendered his first account as deputy postmaster as of January 1, 1799.

In 1800[14] a deviation was made in the post route from Sweet Spring to Greenbrier Court House so as to include Monroe Court House (Union), and a route was created from Greenbrier Court House to Kanawha Court House (Charleston). This was the first post route to penetrate the southern borders of our state. However, post offices were not established in these towns until after the end of the eighteenth century, at Kanawha Court House with Edward Graham as postmaster and at Monroe Court House with Richard Shanklin as postmaster, in 1801.

A post route was also created by the act of Congress of 1794[15] from Pittsburgh, by Washington, in Pennsylvania, to West Liberty and Wheeling, Ohio County, and to Limestone (now Maysville) and Fort Washington (now Cincinnati). It was also provided that, until provision was made for the regular transportation of mail from Wheeling to Limestone, mail was to be taken to Limestone and Fort Washington by a route then in existence through Abington and Danville, Kentucky. The distance given from Washington to West Liberty by this post route was 23 miles, and from West Liberty to Wheeling 15 miles.[16]

Major Isaac Craig, army quartermaster at Pittsburgh, took an active part in the organization of this route. In a letter to Craig[17] the postmaster general mentioned the procuring of boats with three men each to carry the mail on this river route; he proposed that the mail should go by the river during nine months of the year and by the wilderness road to Kentucky from the middle of December to the middle of March. No passengers were to be carried on these boats.

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[14]Act of April 23, 1800.

[15]Act of May 8, 1794.

[16]*The Post Office Law with Instructions*, &c., 1798, p. 74.

[17]Postmaster General to Isaac Craig, April 26, 1794, in W. E. Rich's *The History of the United States Post Office to the Year 1829* (Cambridge, 1924), p. 70.

Major Craig inserted four consecutive advertisements in the *Pittsburgh Gazette*:[18]

BOATMEN WANTED

To be employed on board light boats, in transporting a weekly mail from Wheeling to Limestone.

Active young men desirous of engaging in the above business, on producing certificates or other satisfactory testimony of their sobriety and vitality, at the quartermaster's office, Pittsburgh, will be immediately employed on liberal terms.

A contract will be entered into for carrying a weekly MAIL[19] (via Washington) the whole distance to be rode in one day.

Apply as above.

ISAAC CRAIG, Deputy Quartermaster General.

Pittsburgh, May 29, 1794.

The postmaster general appointed John McIntire as deputy postmaster at Wheeling about the early part of June, 1794, but Major Craig detained the letter at Pittsburgh and wrote to the postmaster general recommending that the appointment of McIntire be withdrawn in favor of John Finley, then assistant quartermaster at Wheeling.[20] The postmaster general was agreeable with the suggestion and on July 2 Craig forwarded the letter of appointment, together with a package containing the post office laws and regulations and form of bond and oath, to Finley at Wheeling, instructing Finley to strike out "John McIntire" on the forms and insert "John Finley."[21]

Major Craig also advised deputy postmaster Finley that a boat carrying mail would soon be starting for Limestone, touching at Wheeling on its way, that a second boat would start the week following, and another boat a week following the second.

A notice was then inserted in the *Pittsburgh Gazette* on Saturday, June 28:[22]

On Saturday next, the 5th of July, a mail boat, for Limestone and Fort Washington, will start from this place, and continue weekly after that time; touching Whelen, Marietta and Gallipolis, on their descending and ascending the river.

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[18]*Pittsburgh Gazette,* May 31, June 7, 14, and 21, 1794.

[19]To Wheeling.

[20]Isaac Craig to Postmaster General, June 13, 1794. In G. L. Cranmer's *History of Wheeling and Ohio County* (Chicago, 1902), p. 68. Also Letter Book of Major Isaac Craig in *Historical Register of 1884.*

[21]Cranmer, *History,* p. 68.

[22]*Pittsburgh Gazette,* June 28, 1794.

A mail by the route of Cannonsburg, Washington and West Liberty to Whelen, will leave the post office at this place the third week after the starting of the first boat.

Pittsburgh, June 28, 1794.

So then, if these arrangements went through as planned, the first United States mails reached Wheeling by river two or three days after July 5, 1794, and the first cross-country mails were delivered in Wheeling from Pittsburgh Saturday afternoon or evening on July 26.

The income received from letters carried by these river boats in all probability did not begin to pay for the expense of their operation. The river mail service was, however, a success from an economic standpoint--that of providing a means of ready communication with the frontier. Although the mail boats were subject to attacks by Indians, the surveyor-general at Marietta, on the "Indian side of the Ohio," wrote enthusiastically in his memoirs about the political value of the project.[23]

From contemporary correspondence we learn that the boats were originally planned to have a crew of three men, that they carried no passengers, and were "formed in the best possible manner for ease and expedition in pushing up the stream."[24] Varying from this is the statement of a more recent writer[25] that the boats were propelled by six rowers, that they were about 40 feet long and had cabins about 20 to 25 feet in length. A small swivel gun was placed in the bow of each boat and the members of the crew were well armed to protect themselves from the attacks of savages. Each passenger carried his own provisions and bedding. The time for the round trip between Wheeling and Cincinnati was eighteen days—twelve up and six down.[26]

Thus were the first United States mails carried down the Ohio.

With regard to the section of the route from Pittsburgh to Wheeling, the first Wheeling postmaster was informed

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[23] *Memoirs of Rufus Putnam*, p. 394, in Rich's *U. S. Post Office*, p. 70.
[24] Postmaster General to Rufus Putnam, in *ibid.*, p. 72.
[25] Cranmer, *History*, p. 66.
[26] *Magazine of Western History* (New York, 1884-8), II, 60.

by Major Craig that the mail would be sent by land through Washington and West Liberty.[27] In keeping with the custom of some of the mail contractors at that period, two post riders set out, one from Pittsburgh and the other from Wheeling, met each other at Washington, exchanged their mail pouches and returned to their respective starting points. The rider from Wheeling to Washington and return was to connect with the boat at Wheeling every Saturday at noon, when the boat left for its downstream journey to encounter river hazards such as snags and possible Indian attacks.[28]

The date of establishment of the post office at West Liberty is not available. William McKinley rendered the first account as deputy postmaster as of October 1, 1794; Zachariah Sprigg rendered his first account as deputy postmaster as of April 1, 1799.

It is not known when Major Finley accepted his appointment as postmaster or where Wheeling's first post office was located. It was probably either at Finley's residence or place of business. In those days postmasters were instructed to buy a plain case or desk, made of pine or cheap wood with a good lock and key, for installation in those offices where business was so small that a whole room was not needed.[29] The first Wheeling mails were probably sorted and handled on such a desk and the entire equipment of the town's first post office, including letters received for distribution from the outside world and those deposited in Finley's hands for transmission through the mails, were kept therein at the Major's home. The matter of locating the site of Wheeling's first post office should make an interesting subject for research.

June 7, 1794, is given as the date of establishment of the post office at Wheeling, on which date John Finley was appointed deputy postmaster. Finley, however, did not assume the duties of his office until July, as previously stated, and it is fair to assume the Wheeling post office was actu-

[27]Major Craig to Major Finley, July 2, 1794, in Cranmer's *History*, p. 68.
[28]*Ibid.*, pp. 67-68.
[29]*The Post Office Law with Instructions*, &c., 1798, sec. 22.

ally opened that month. John McIntire succeeded Finley on February 1, 1795, and Andrew Woods succeeded McIntire on March 6, 1798—Woods' compensation for 1800 being $59.21.[30]

An overland road from Wheeling to Limestone was desired and Ebenezer Zane was employed by an act of Congress in 1796 to build this road.[31] This he did in the following year, crossing the Muskingum at the point where Zanesville now stands.

About October, 1798,[32] the postmaster general made arrangements for sending the mails from Pittsburgh, by Wheeling, to Washington, Kentucky, through Zanes (Zanesville), and discontinuing the mail from Wheeling down the Ohio. As there was no road from Marietta to Zanes, Andrew Woods—Wheeling's postmaster—was instructed to send mails for Marietta by "express" (in other words, by a special messenger) until provision was made for carrying mail between Marietta and Zanes. Woods was also directed to see on what terms he could get a person to carry the mail regularly once a week from Wheeling to "Maryetta."

A few months later[33] the postmaster general wrote to his deputy at Marietta saying that he was "surprised to hear there is no road from Wheeling to Marietta as information on the subject led me to believe that the road was already made and could be traveled at all seasons with little or no difficulty."

Benjamin Mullican was employed late in 1798 to carry the mails between Pittsburgh and Zanes, for which he was paid at the rate of $1,500 a year, this amount being reasonable, "considering the difficulties and hardships the rider will have to encounter."[34] It often happened that on this overland route mails were not carried regularly, and travel-

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[30]These dates of appointments (furnished by the Post Office Department) of Deputy postmasters in Wheeling differ from those given by J. N. Newton, G. C. Nichols, and A. G. Sprankle, in *History of the Panhandle of West Virginia* (Wheeling, 1879) p. 205, as: John Finley, October 1, 1794; John McIntire, July 1, 1795; and Andrew Woods, October 1, 1798.

[31]*Ibid.*, p. 132.

[32]Postmaster General to Andrew Woods, October 25, 1798.

[33]Postmaster General to Josiah Monroe, March 19, 1799.

[34]Postmaster General to George Adams, November 16, 1798.

ers reported that letters were being unnecessarily detained at Muskingum and that the post riders were generally worthless fellows. Mullican, however, was represented early in 1799 as "being active and faithful,"[35] but it was pointed out that "many obstacles and disappointments must be expected on a road so very remote from the populous parts of the Union." The postmaster general promised to do his utmost to "induce more regularity" in the carrying of the mails. The following year the receipt of further complaints impelled the postmaster general to write the postmaster of Wheeling concerning Benjamin Mullican:[36]

> I shall urge him (Mullican) to a more punctual performance of his duty; he has hitherto supported the character of a good contractor. He ought not to have exposed the mail to the accident it met with by passing the Ohio on horseback when he could have crossed it in a boat.

A post route is given as of 1797, from Pittsburgh by way of Canonsburg, Washington, West Liberty, and Wheeling to Fishing Creek. The section from Washington to West Liberty is given as 20 miles; from West Liberty to Wheeling, 12 miles; and from Wheeling to Fishing Creek, 40 miles.[37] Since no post office was established at Fishing Creek (New Martinsville) by the end of 1800, this route evidently was not put into operation.

Soon after Brooke County was formed, a proposal was made "to alter the route from Pittsburg to West Liberty so as to accommodate Charlestown [Wellsburg], in Brooke County, Virginia."[38] The postmaster general objected to this change, and wrote the Congressional Committee on Post Offices and Post Roads early in 1799:[38]

> This alteration would increase the distance between Pittsburg and West Liberty 13 miles and render it impracticable to perform the ride with the necessary expedition. If it is proper to accommodate Charles Town with the mail I would recommend the establishment of a cross post from West Liberty this is only eight miles distant and will not interfere with the existing arrangements.

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[35]Postmaster General to His Excellency Arthur St. Clair, March 29, 1799.
[36]Postmaster General to Andrew Woods, September 26, 1800.
[37]*The Post Office Law with Instructions*, &c., 1798, p. 99.
[38]Postmaster General to Chairman of Committee of Post Offices and Post Roads, February 18, 1799.

Congress did not follow the recommendation and in 1800[39] discontinued the section of the route between Washington and Wheeling by West Liberty, and at the same time created a post route from Charles Town, or Brooke Court House, to Wheeling. Just what postal service West Liberty then had when the new route was put into operation is not recorded. West Liberty, however, still had a post office at the end of 1800, with Zachariah Sprigg (previously referred to) as its postmaster, his compensation being $46.30. Sprigg was a member of the first group of trustees appointed for the town of West Liberty when it was created as a town in 1787.[40] On the basis of the computation mentioned earlier, some 800 letters were handled in 1800 at the West Liberty post office. A post office was established at Brooke Court House in November, 1800, with William Thorpe as its first postmaster.

Brownsville and Washington, Pennsylvania, were connected by a route created in 1795.[41] When that route was put into operation our Northern Panhandle then had two means of mail communication with the East, one through Pittsburgh to Philadelphia and the North, the other through Alexandria to the South.

In the same year branches were thrown out from Martinsburg, through Williamsport, to Hagerstown, in Maryland, and from Winchester, through Romney, to Moorefield. The distance from Winchester to Romney was 50 miles, and from Romney to Moorefield 25 miles by post route. John J. Jacob was the Romney postmaster, and John Hay was the Moorefield postmaster at the end of 1800, their respective compensations being $42.14 and $58.86. In 1800[42] a cross road was created connecting Romney and Cumberland by way of Springfield and Frankfort. Alexander King was the postmaster at Frankfort in 1800 and collected $3.27 for postage on letters during the last quarter of that year.[43]

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[39] Act of April 23, 1800.
[40] *Hening's Statutes*, act passed November 29, 1787.
[41] Act of February 25, 1795.
[42] Act of April 23, 1800.
[43] Postmaster General to Samuel De Butts, April 17, 1799.

The dates of establishment of the Romney and Moorefield post offices are not available. John Jack rendered the first account as deputy postmaster at Romney as of April 1, 1796, and John J. Jacob rendered his first account as deputy postmaster as of January 1, 1801, Jacob's compensation for the year 1800 being $42.14. Peter Donnan rendered the first account as deputy postmaster at Moorefield as of July 1, 1796, and John Hay rendered his first account as deputy postmaster as of July 1, 1800, Hay's compensation for the year 1800 being $58.86.

In 1800[44] a cross road was created connecting Romney and Cumberland by way of Springfield and Frankfort. The dates of establishment of the Springfield and Frankfort post offices are not available. John Lyle rendered the first account as deputy postmaster at Springfield as of January 1, 1801, and as his compensation is given as 70 cents for the period from "Oct. 10 to Dec. 31, 1800," it is fair to assume the office was established on or about October 10, 1800. Alexander King rendered the first account as deputy postmaster at Frankfort as of January 1, 1801, and as his compensation is given as 98 cents for the period from "Oct. 1 to Dec. 31, 1800," it is likewise fair to assume the Frankfort office was established on or about October 1, 1800.

In the spring of 1799[45] the postmaster general inquired, "If any person will undertake to carry the mail once a week for 52 times a year between Sharpsburg and Shepherdstown I shall be glad to enter into a contract with them," but the record is silent as to what response was received.

As an illustration of the authority of the postmaster general to establish new post offices on post routes or altering the course of an established post route to take in a new post office, the case of Harpers Ferry may be cited. In December, 1799,[46] there was a cantonment of troops at Harpers Ferry, and on the solicitation of Major General Pinckney the contractor was directed to stop at that place on his way between Leesburg and Shepherdstown. A post office was

[44] Postmaster General to Anthony Moore, December 18, 1799.

MAP OF
WEST VIRGINIA
SHOWING
POST ROUTES
1792-1800
LEGEND
ACTS OF FEB. 20, 1792 } ——
" " MAY 8, 1794 }
" " FEB. 5, 1795 }
" " MAR. 8, 1797 } ——·——·
" " — — 1798 }
" " APR. 25 1800 — — — —
NOTE! POST OFFICES IN WEST VIRGINIA IN 1800 SHOWN THUS:- WHEELING
PITTSBURGH
CANONSBURG
WASHINGTON
WEST LIBERTY
CHARLESTOWN ON BROOKE C.H.
(ESTAB. 1799)
ACT OF APRIL 25, 1800
DISCONTINUED BY ACT
ACT FEB. 25, 1797
ACT OF MAY 8, 1794
ZANES
1798
TO LIMESTONE
WHEELING
(ESTAB. 1794)
ACT OF 1798 & 1799 NEVER PUT INTO OPERATION
BROWNSVILLE
UNIONTOWN
1789 ROUTE
BEDFORD
SOMERSET ?
CHAMBERSBURG
TO PHILADELPHIA
FISHING CREEK
MARIETTA
RIVER ROUTE - DISCONTINUED 1798
RIVER ROUTE - ACT OF MAY 8, 1794
TO LIMESTONE
MORGANTOWN
PETTY JOHN
CLARKSBURG
ACT OF MAY 8, 1794
ROUTE FROM CUMBERLAND TO MORGANTOWN DISCONTINUED 1798 AND MAIL CARRIED FROM CUMBERLAND TO UNIONTOWN DIRECT.
CUMBERLAND
OLD TOWN
FRANKFORT
SPRINGFIELD
ROMNEY
MOORESFIELDS
HANCOCK
HAGERSTOWN
WILLIAMSPORT
LIBERTY ?
MARTINSBURG
SHEPHERDSTOWN
FREDERICKTOWN
HARPERS FERRY
CHARLESTOWN
ROUTE FROM LEESBURG TO SHEPHERDSTOWN CHANGED BY ACT OF APR. 23, 1800 TO PASS BY CHARLES TOWN
WINCHESTER
STEVENSBURG
LEESBURG
STRASBURG
WOODSTOCK
SALISBURY (CENTERVILLE ?)
ALEXANDRIA
ACTS OF FEB. 20, 1792 AND MAY 8, 1794
ROCKINGHAM C.H. (NOW HARRISONBURG) ?
STAUNTON
BATH C.H.
ACT OF MAY 8, 1794
KANAWHA C.H. (NOW CHARLESTON)
ACT OF APR. 25, 1800
GREENBRIAR C.H.
ROUTE FROM SWEET SPRINGS TO GREENBRIAR C.H. CHANGED BY ACT - APR. 25, 1800 TO PASS BY MONROE C.H.
MONROE C.H.
SWEET SPRINGS

established at Harpers Ferry on December 20, 1799, and John Mackay appointed deputy postmaster on General Pinckney's recommendations. The postmaster general wrote General Pinckney:[45] "The establishment of post roads is left exclusively to Congress and as the route from Fredericktown to Harpers Ferry forms no part of a post road I cannot send the mail between those places."

Congress, however, soon afterwards[46] established a post road from Fredericktown by Harpers Ferry to Charlestown, and at the same time the main post road from Leesburg to Shepherdstown was changed to "pass through Charlestown in the county of Berkeley." The deputy postmaster at Charlestown at the end of 1800 was Mathew Fraume, enjoying a compensation of $43.33, and Robert Whittel (Whittell) was postmaster at Harpers Ferry, the latter's compensation being $50.41. The first account of Robert Whittel was rendered as of April, 1800.

There is no data available concerning the time required for the transportation of mail over the various routes from one post office to another. The early post route books at the Library of the Post Office Department contain priceless historical data as to the routes established, the number of trips to be made, the mode of conveyance, a record of bids received from prospective mail contractors, the name of the contractor to whom the award was made and his compensation, failures in the conveyance of mail, as well as other miscellaneous notes. The volume "Virginia," however, is missing!

A letter written at Belleville (in Wood County, some eighteen miles up the Ohio River from Parkersburg), on November 15, 1796,[47] to Connecticut, states:

> There is an opertunity of sending letters once every week only lodge a letter in the post-offis in N. London & in a short time it will be at Bellville. The people that came with me has most all had letters from their friends in New England. Mr. Avory has had 2 or 3 letters from his brother one in fiften dayes after date, all of which came by the waye of the male.

[45] Postmaster General to General Pinckney, December 21, 1799.
[46] Act of April 23, 1800.
[47] A. B. Hulbert, *Historic Highways of America* (Cleveland, 1904), XII, 64-65.

The writer unquestionably received and sent his letters at the nearest post office, Marietta.

From a general inspection of the map it will be noted that the first post roads merely skirted the borders of our state, with only five post towns on West Virginia soil—Shepherdstown, Martinsburg, Morgantown, West Liberty, and Wheeling. They served as stepping stones between points on routes which commenced and terminated in other states. Later, we find new routes created, some wholly within western Virginia, with extensions and cross routes, until by the end of the eighteenth century there were fifteen United States post offices within the present borders of West Virginia, certainly no great number, even in comparison with the total of 903 post offices clustered in the more populous East and scattered in the less developed sections of our country as it then existed.[48]

These post routes, many of them presumably over mountain trails on the crests of ridges or following meandering streams, were destined to increase in number with the settlement of the western hills of Virginia, and to penetrate into every nook and corner, till, a century later, they formed a vast network and served the needs of over two thousand communities in West Virginia through their respective post offices. Moreover, the compensation paid to western Virginia postmasters, amounting to some $650 in 1800, had increased by 1930 to well over a million dollars.[49] The number of post offices at the same time had increased from 15 in 1800 to about 1800 in 1930, or one post office for every 5,239 people in western Virginia in 1800, compared with one post office for about 960 people in West Virginia in 1930.[50]

The total number of letters handled at the 903 post offices in the United States in 1800 has been estimated[51] as

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[48]"History of the Railway Mail Service," *Senate Exec. Docs. No. 40, 48th Congress, 2d Sess.*

[49]The 1940 Federal census of W. Va., not being available at this time, the 1930 figures are used.

[50]Estimated population of West Virginia in 1800, 78,592; J. M. Callahan, *History of West Virginia* (2 volumes, Chicago, 1923), p. 238. *1930 Federal Census of W. Va.*, 1,729,205.

[51]Rich, *U. S. Post Office*, p. 182.

1,965,628 — an average of 2,177 at each post office — of which West Virginia's share (fifteen post offices) was about 32,655.[52]

[52]Probably much less, for the average West Virginia post office in 1800 did less business than the average post office in the country as a whole.

Concerning the First Survey of the Northern Neck

Edited by ELIZABETH COMETTI

The history of the Northern Neck surveys continues to arouse interest by virtue of the periodic discoveries and fresh appraisals of material on this subject.[1] For some years a group of manuscripts pertaining to these surveys has lain in comparative obscurity in the West Virginia Department of Archives and History. Nine pieces comprise this collection, whose provenance it is impossible to ascertain with certainty. Originally they undoubtedly formed a part of the collection listed by Charles J. Faulkner in his famous report of November 1832 to Governor Floyd.[2] Three of the papers in Charleston — an extract of a letter from Major Gooch,[3] a petition of 1730 from the House of Burgesses to the King in Council,[4] and a copy of the instructions in behalf of Lord Fairfax — are the same as items 2, 3, and 7 in the Faulkner report. The other pieces probably belonged to that group which Faulkner describes as "not referable to any particular head, yet growing out of and illustrating the controversy between Lord Fairfax and the Crown."

It will be recalled that at the end of his report Faulkner suggested to Governor Floyd that the documents be deposited with the Virginia Historical and Philosophical

[1]Charles E. Kemper, "Documents Relating to the Boundaries of the Northern Neck," *The Virginia Magazine of History and Biography*, XXVIII (Oct. 1920), pp. 297-318; Fairfax Harrison, "The Northern Neck Maps of 1737-1747," *William and Mary College Quarterly*, IV, second series (Jan. 1924), pp. 1-15; James W. Foster, "Maps of the First Survey of the Potomac River, 1736-1737," *ibid.* (Apr., 1938), pp. 149-157; and "Potomac River Maps of 1737 by Robert Brooke and Others," by the same author in *ibid.* (Oct., 1938), pp. 406-418.

[2]A sketch of Faulkner as well as his report are found in F. Vernon Aler, *History of Martinsburg and Berkeley County*, (Hagerstown, 1888), pp. 314-342 and 67-86.

[3]The complete letter is reproduced in Charles E. Kemper, *loc. cit.*

[4]The petition is published in *Journals of the House of Burgesses of Virginia 1727-1734, 1736-1740*, ed. by H. R. McIlwaine (Richmond, 1910), pp. 92-96.

Society, an organization founded in 1831.[5] Neither the Floyd papers, however, nor the 1833 report of the above society, indicates whether such a deposit was ever made. Eventually some of the papers must have found their way into private hands, for in 1892 the West Virginia historian, Virgil Lewis,[6] wrote: "Fortunately the records pertaining to it [Fairfax patent] have been preserved and are so extensive, that if collected they would fill a volume. Strange as it may seem, many of these papers are in the possession of private individuals."[7] It is indeed regrettable that Mr. Lewis did not reveal the basis for this statement, but presumably it was through his efforts that some of the Fairfax papers came to the Department of Archives and History at Charleston.

The manuscripts reproduced in this article refer to the first, or 1736 survey of the Northern Neck, which has been rendered memorable by the pen of that delightful historian and man of affairs, Colonel William Byrd II.[8] Colonel Byrd, then reaching the "grand climacterick," had no desire to be commissioner in another boundary controversy, especially when his keen eyes detected an ulterior motive behind his appointment. "I suspect," he confided to Colonel Spottswood, "the council has done me this honour with the wicked design of wearing the Oldest out first and making a Vacancy near the chair. . ." But finding comfort in the sly hope that "so much exercise and a change of air" might have just the opposite effect and "renew" his age, Byrd accepted the commission.[9]

The extended controversy between Lord Fairfax and the Crown arose when "Many Patents were issued in the Kings Name for Lands, which his Lordship apprehended to be within his Grant and his Agents on their Part like-

[5] *Collections of the Virginia Historical & Philosophical Society*, I (Richmond, 1833) Faulkner was a member of the society.

[6] Virgil A. Lewis (1848-1912), educator and historian, was appointed to head the West Virginia Department of Archives and History at the time of its formation in 1905. Lewis was the author of numerous works on West Virginia.

[7] "The Maryland-West Virginia Boundary," *Southern Historical Magazine*, I (Feb., 1892), p. 92.

[8] *The Proceedings of the Commissioners Appointed to Lay out the Bounds of the Northern Neck* ed. by Thomas Wynne (Richmond, 1866).

[9] Byrd to Col. Alexander Spottswood, Dec. 22, 1735, "Letters of William Byrd, 2d., of Westover, Va.," *Virginia Historical Magazine*, IX (Oct., 1901), p. 236.

wise granted other Lands which the Kings Governors did conceive belong'd to his Majesty."[10] Consequently Lord Fairfax successfully petitioned the Crown to appoint a commission for delimiting the Fairfax grant. According to the original patent, the grant was "bounded by and within the first Heads or Springs of the Rivers Tappahanock, alias Rappahanock, & Quireough, alias Potomack & by the Courses of the said Rivers from their said first Heads or Springs . . . and the Bay of Chesapeyock. . ."[11] The Commissioners representing the Crown met those appointed by Lord Fairfax at Fredericksburg on September 25, 1736.[12] Differences arose as soon as their respective instructions were read, for it appeared that the Crown commissioners were empowered to "Survey, mark and ascertain the Boundarys in dispute," while Lord Fairfax restricted his commissioners to surveying "the Controverted bounds, that so a State of the Facts might afterward be laid before his Majesty for his Royal Ditermination."[13] The following letter of Edward Barradall,[14] agent of Lord Fairfax, throws some light on the origin of the disagreement in the instructions.

Sir

The bad weather detained me so long in Stafford I had not time to take Westmorland in my way home which I should have been glad to do if convenience would at all have permitted as well to visit my friends there as to be satisfied what resolutions Lord Fairfax has taken on the subject of his affairs whether he intends to visit Col. Byrd in order to press him & the other Commissioners to go out this Spring which I am apt to think they will not be induced to without a vigorous application and none in my opinion is more likely to prevail than a personal one from his Lordship Before the Commissioners are applied to I think it necessary that a state of his Lordships case should be drawn up seting forth the boundaries he claims by way of Instructions to the Commissioners As this cannot be done without reducing his Lordships demands

[10]Byrd, *op. cit.*, p. 83.

[11]*Ibid.*, p. 84.

[12]The Crown Commissioners were William Byrd, John Robinson, and John Grymes. The appointees of Lord Fairfax were Charles Carter, William Beverly, and William Fairfax. *Ibid.*, p. 119.

[13]*Ibid.*, pp. 96 and 119.

[14]Edward Barradall (1704-1743) was at this time agent of Lord Fairfax. William Fairfax, to whom the letter is addressed, managed his kinsman's extensive lands. Barradall became attorney-general in 1737 and served in this capacity until the time of his death. R. T. Barton, *Virginia Colonial Decisions* (2 vols., Boston, 1909), I, 243-248.

and proposals to a certainty Before I can prepare anything of that kind I must be satisfied in some particulars It will be convenient I should know whether his Lordship proposes to leave his right to the Fork of Rappahanock and what shall be taken to be the head springs of that river absolutely to the determination of His Majestie in Council and will agree to acquiesce under and be concluded by that determination Or whether he would have that matter left so at large as to be at liberty to exert his right in the Courts of law in case it should be determined against him by the King — I understand well enough what we are to insist on as the head springs of Rappahanock but as to those of Potomack I am quite in the dark It will certainly be necessary to have those too ascertained that there may be no pretence for obstruction or delay in the progress of the Commissioners what I mean is that his Lordship should determine which branch of Potomack on the South shore he insists on as his boundary That being settled there is nothing more to propose as I apprehend but that a line be run from the head springs of that branch to the head springs of Rappahanock wherever they are adjudged to be as the bounds of his Lordships Grant And for the better ascertaining which are & ought to be deemed the head springs of this last it may be proposed that the Commissioners measure the breadth & depth of the two branches at the mouths thereof and their extent to their respective fountain heads This will set the whole dispute between his Lordship and the Crown in a clear light for a determination at home which is the point we have to laboure here If I have a right conception of this matter & what I propose is approved you will please to let me know so much and at the same time communicate his Lordships sentiments and resolutions as to those points before hinted in which I want to have satisfaction I shall then be able to prepare Instructions for the Commissioners which shall be done out of hand. Be so good to make my compliments to his Lordship and Believe me to be

Sir

Your most Obedient
Humble Servant
Barradall

At Col. Fitshughs[15]
Jan. 14, 1735

Evidently Lord Fairfax not merely accepted Barradall's advice, but clung to it tenaciously and absolutely refused to permit the final ascertainment of the boundaries by the commissioners. "It seems most equitable to have the same determined by his Majesty in Council, before whom the case may be fairly argued on both sides." Fairfax wrote Barradall. "The affair is of too great Consequence to have

[15]Colonel Henry Fitzhugh of "Eagle's Nest" in Stafford County, was the brother-in-law of Barradall. *Virginia Historical Magazine*, VII (Jan., Apr., 190), pp. 318, 425.

it Ended here without reserving the Liberty of Appeal—"[16]

In addition to indicating a loophole for the final determination of the controversy at "home," Barradall recommended the reduction of the Fairfax demands and proposals "to a certainty." The merit of this counsel was not lost on the wily proprietor, who forthwith asked Barradall

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to prepare a set of instructions. Barradall complied, and after some delay, the instructions received the approval of Lord Fairfax.[17] Since Byrd reproduces the commission but not the instructions in behalf of Lord Fairfax, considerable interest attaches to the following document.[18]

INSTRUCTIONS on behalf of the right honourable the Lord Fairfax Pro-

[16]Fairfax to Barradall, Aug. 15, 1736, *Calendar of Virginia State Papers*, ed. by William P. Palmer (11 vols., Richmond, 1875), I, pp. 225-26.

[17]"I have only to apologize for the neglect of not letting you know his Lordsps. approval of the Sketch you drew up and sent under the Name of Instructions to ye Commrs. . . .," William Fairfax to Barradall, Aug. 15, 1736, *ibid.*, p. 226.

[18]It is not in the same handwriting as the Barradall letter. Perhaps the instructions were not read at the Fredericksburg meeting, but merely served as a preliminary draft of the commission whose text is found in Byrd *op. cit.* pp. 93-95.

prietor of the Tract or Territory of Land called the Northern Neck to the Commissioners nominated by the Lieutenant Governor & Council of Virginia on behalf of his Majesty & by the said Proprietor for the surveying & settling the boundaries of the said Territory pursuant to his Majesties Order in Council for that purpose bearing Date the twenty fourth Day of November MDCCXXXIII

The said Proprietor claims under two several Grants by Letters Patent from the Crown the first bearing date the eighth of May in the one & twentieth year of the reign of King Charles the second The last bearing the date the twenty seventh day of September in the fourth year of King James the second In which last Grant the premises thereby granted are described as follows (that is to say) "All that intire tract territory or parcel of Land seituate lying & being in Virginia in America & bounded by & within the first heads or Springs of the rivers of Tappahanock alias Rappahanock and Quiriough alias Patowomack rivers the Courses of the said Rivers from their said first heads or Springs as they are commonly called and known by the Inhabitants & descriptions of those parts & the Bay of Chesapoyocke — Together with the said Rivers themselves and all the Islands within the outermost banks thereof and the soil of all & singular the premises and all lands woods underwoods timber & trees ways Mountains Swamps marshes waters rivers ponds pools lakes bays Creeks ferries &c"

By the words & clear intention of these Grants the said Proprietor conceives & insists that his boundaries ought to include all the lands &c between the Rivers in his said Grants mentioned from the mouths thereof to their respective first heads or Springs (that is the fountains or Springs that feed & supply the said Rivers) and a line to be drawn from the first heads or Springs of one river to the first heads or springs of the other river And also the said Rivers themselves & all branches thereof (Except so much of Patowomack river as is granted to the Proprietor of Maryland) And the said Proprietor requires the said Commissioners to survey & lay out his boundaries accordingly —

And whereas the Rivers Rappahanock above the falls thereof divides into two branches the one tending Northerly the other Southerly the said Proprietor insists that the South branch of the said River and all the lands between the said two branches are & ought to be included within the boundaries of his said Grants The said branches being both in the said Proprietors Apprehension as much and as properly parts of the said River as the two legs or Arms of a man are parts of the human body Nor is the said Proprietor able to conceive one reasonable argument that can be offered against this demand Certain he is the express Words of his grants much less the intentions of them cannot in any manner otherwise be answered or satisfied for. First he observes that by the words of his Grants he is to be bounded by the first heads or Spring of the River And he Apprehends that the Springs which feed & supply one branch of a River are as much the head springs of that river as those which feed & supply any other branch of the same River Then he conceives & insists that these words of his Grants viz "All Islands within the outermost banks of the said rivers" clearly demonstrate the Intention of the Grants to com-

prehend all the branches of the said Rivers more especially so large an one as the South branch of Rappahanock presumed to be even the largest branch of that River

But as the Crown has thought fit to grant Lands between the said two branches And the right of the Crown or of the said Proprietor to those lands has never yet been formally & legally determined And the said Proprietor having full confidence in his Majesties justice is willing to submit his right & title to the said controverted lands to his Majesties Royal wisdom & determination In order therefore that the said dispute may be set in the clearest light & the nature of it the better apprehended—and that a true description of the situation of aforesaid branches may be made

The said Proprietor proposes & requires that the said Commissioners do measure the breadth & depth of the said two branches at the mouths thereof & also the extent of them to their respective first heads or Springs according to the explication of those terms herein before mentioned that is to say the Springs that feed & supply the said branches So that a true & exact plan thereof may be made and transmitted to his Majestie.

And whereas the river Potowomack has many & various branches the extent & courses whereof are very different so that it is not easie to be ascertained which are or may be properly called the first heads or springs of that river The said Proprietor conceives that the words & intention of his Grants will be best answered & Satisfied by making the fountains or head Springs of the largest branch of the said river on the South Shore his boundary which the said Proprietor takes to be that branch now commonly called

The fountains or head Springs of which branch the said Proprietor claims as his boundary And requires the said Commissioners to run a line from thence to the fountains or head Springs of the Southmost branch of Rappahanock river which line he insists is & ought to be the head boundary of his said Grants.

William Mayo[19] and Robert Brooke[20] were appointed to survey the Potomac to its head spring in behalf of the Crown, while Benjamin Winslow[21] and John Savage[22] performed the work for Lord Fairfax. Eighteenth century surveying expeditions had their lighter side, if the quantity and quality of the beverages which composed a large

[19]William Mayo (1684-1744) famous colonial surveyor, helped draw the boundary line between Virginia and North Carolina, laid out the city of Richmond, and was chief engineer for the first survey of the Northern Neck. *Dictionary of American Biography* (New York, 1933), XII, 464.

[20]Robert Brooke (d. 1747) of "Farmer's Hall," Essex County, was a noted surveyor and cartographer. He accompanied Governor Spottswood on his famous expedition in 1716 and thus became a Knight of the Golden Horseshoe. Fairfax Harrison, *loc. cit.* "The Brooke Family," *Virginia Historical Magazine*, XX (Jan., 1912), pp. 99-100.

[21]Colonial surveyor and sheriff of Essex County. In 1726 Winslow married Susanna Beverly, daughter of Harry Beverly. Winslow's will was proved in Essex, May 21, 1751. W. G. Stanard, "Major Robert Beverly and His Descendants," *ibid.*, III (Apr., 1896), p. 391. See also *ibid.*, XIV, p. 341 and XXXV, p. 33.

[22]Scarcely anything is known of this member of the expedition. Savage was for a time surveyor of Stafford County. Byrd, *op. cit.*, p. 104.

and indispensable part of the baggage indicate anything.[23] During the 1736 survey it is not known whether the liberality of the libations, the beauty of a Virginia autumn, or the unavoidable accidents of a long and tedious journey caused the surveyors to loiter so long at the outset of the venture. At any rate, the commissioners felt constrained to prod them with a few blunt reminders. "Your proceedings Gentlemen," they wrote the surveyors, "have been very dilatory & we can't construe your conduct otherways than you imagine you are to be paid by the day & that you intend for that reason to make the most of, But that you may not deceive yourselves, & spend your time in Sloath & Merriment, we give you this fair Warning, that we will make a Strict Examination of every days proceedings, that you may be paid not according to your time, but according to your deserts. . ."[24]

Byrd's narrative does not disclose whether the Crown surveyors saw fit to answer the reprimand. Winslow and Savage, however, were indignant at the unfounded "calumnies" implied in the commissioners' letter and proceeded to dispatch the following testimonials of their "probity" to Charles Carter, William Beverly, William Fairfax.[25]

Potomack 40od miles above the
Mouth of Sherrendo [Shenandoah],
Octob. 31st 1736

Gentmn.

The Letter we recd dated ye 5th of this Instant Occasions us to send you the Inclos'd Journal that you may be assurd that we are in no wise guilty of the Calumnies therein inserted, wch can be no other way interpreted but that we are all guilty of the highest breach of trust, (Although in the End we hope the Matter will Clear itself) A Charge so heinous gives [us?] only a little uneasiness but is sufficient to have occasion'd men of Less resolution & probity to withdraw themselves from the affair we have hitherto prosecuted wth our utmost diligence The difficulties that Lye before us and ye many greater we dayly Expect do not in the Least discourage us from the prosecution of the great trust repos'd in us wth the utmost Cirecumspection, to the Least Charges to his Lordship,

[23]The Rappahanock surveyors, for example, had claret, madeira, "strong" beer, and "sundry" liquors, not to mention punch and tea. *Calendar of State Papers*, I, 227.
[24]Byrd, *op. cit.*, p. 104.
[25]Both the letter and journal are in the handwriting of Benjamin Winslow.

altho we shou'd receive no retaliation for so Laudable an Undertaking this is the Resolution of

Gentmn.

Yr. most Obedt. huml. Servt.

Benj. Winslow

Jn. Savage

Thursday Septr. 30. I set out at 12 from Colo. Carters[26] wth my Lords bag. Horses it Raind very hard before I got to Potomac run. I cald at Mr. Savages to see if he was gone forwd and meeting wth Maj. Mayo & Maj. Brooke who inform'd us that the Kings horses could not be shod till the next day we thought it to Little purpose to go to the mines[27] that Night Through the rain.

Friday Octo 1st. Maj. Mayo, Maj. Brooke, Mr. Savage, & my self went to the Mines to forwd the Shoeing our Horses but the Kings Horses could not be done till Satterday Night and we thought it would be more Expeditious to send my Lords Horses to Fredricksburg to be shod then to keep them till the next week wch we did, as the Kings Horses was stl at the Smithy they was to be shod first we returned to Mr. Savages.

Satterday Octo 2d. Maj. Mayo, Maj. Brooke, Mr. Savage & myself went ye 2 time to forwd the shoeing the Horses & to get our own Shod, but could but one of mine & returnd to Mr. Savages, there not being any Lodging &c to be had at the Mines

Sunday Octo 3rd. Col Carters Overseer return'd Last Night with three of my Lords bag. Horses shod the other could not be done the Smith being Sick The Surveyors went to Potomack Church.

Monday Octo. 4th. We set of at 6 to the Mines and got the other of my Lords Horses Shod & fixt of but with one of my own shod, 1/2 an hour after 11 & got to Ashbys[28] at Sun Sett. this mor the King's Surveyors entred James Feild

Tusday Octo. 5th the following Psons, wch Mr Ashby had imploy'd Entred themselves as Chain Carriers for My Lord, Tho Ashby, Jn Ashby,[29] John Catlit,[30] Peter Leehugh, Tho. Conway, and Tho. Ashby as Guide The Boys brot News my Horses was not to be found, Maj. Brooke, Maj. Mayo, and Mr. Savage went on with the bag The King's Surveyors entred Moses Bots as ch. Carrier and I went in search of my Horses all day but to no purpose. I stayed at Ashby's that Night

Wedasday Octo. no News of my Horses I thought fit for the greater dispatch to hire or buy horses, and I bought one Sorry Fil for 500 Tobo. and hir'd another to go as far as the Mouth of Sherrendo. I set out at

[26]"Stanstead" above Falmouth, where Charles Carter (1707-1764) removed after the death of his father, "King" Carter, in 1832. Fairfax Harrison, "The Will of Charles Carter of Cleve," *Virginia Historical Magazine*, XXXI (Jan., 1923), pp. 39-45. Byrd remarked that the entertainment at Col. Charles Carter was "by no means extravagant." Byrd, *op. cit.*, p. 98.

[27]Probably at Germanna, one of the iron mines belonging to Colonel Alexander Spottswood near Fredericksburg. Kathleen Bruce, *Virginia Iron Manufacture in the Slave Era* (New York, 1931), pp. 6-16.

[28]One of the earliest settlers in what is now Clarke County. Ashby's Bent of the Blue Ridge was named for him. J. E. Norris, *History of the Lower Shenandoah Valley* (Chicago, 1890), pp. 448, 462-63.

[29]Eldest son of Thomas Ashby. As Captain John Ashby, he later came into contact with George Washington. See J. C. Sanders "Old Fort Ashby," *West Virginia History*, I (Jan., 1940), pp. 104-109.

[30]John Catlett of Carolina County? If so, he was a justice of the peace for several years. "Extracts from the Records of Carolina County," *Virginia Historical Magazine*, XX (Apr., 1912), p. 203.

10 from Ashby's and overtook the Compa. at Bells branch at the place they campt at Last Night. Stopt to look Maj. Brooke's Horses & one of My Lords, my lost was brought in at Sun Sett we Campt at the Same place

Thursday Octo. 7th Fixt of 1/2 an hour after 9 got to Goos Creek where we encampd past 8. John Cattlit went in the morning in serch of Maj. Brookes Horses and Maj. proceeded on foot.

Friday Octor 8th. we fixt of at 9 and Crost the blew Ridge at Ashby's bent[31] and got over Sherrendo at 2 we staid for Ashby who went forwd the morning before to procure Saml Timons [?] as a Chain Carrier for my Lord he brot Timons to us but he refus'd to go with us

Satterday Octo 9th We fixt of at 8 and marcht to Peningtons[32] Spring at 7 and Incampt.

Sunday Octo 10th we marcht at 8 went 7 miles & incampt at Sherrendo

Monday Octo 11th The Kings Surveyors Entred Isaac[33] & Jacob Penington Tho Conway One of my Lords Chain Carriers Left us on his own accord wthout being discharg'd on a pretense that he was not undr the Comd of any boddy but Ashby and that he was Imploy'd by him & no one Else, in our way to the mouth of Sherrendo, we went by Wm Vestalls[34] who offerd to Pilot us to the mouth of Sherrendo and told us that Mr. Ashby had brot us 20 Miles out of the way & that he ought to have come through William's Gap along a Waggon Road[35] whch would have savd above 20 miles. Vestall Pilotd us it was very Ruff woods and over a Sml Mountain we got to the Mouth abt 3 & Campt there, in our way we sent 3 of my Lords & 3 of the Kings Bag. Horses to Isral Freinds[36] on Potomack to have the Padd's wooded, John Catlett return'd from Looking Maj. Brooke's Horses.

Tusday Octo. 12 Last Night one of the Kings Bag. Horses fell down a Rock & disabled himself so much that he cant stand, We began to Survey and went up Potomack to Isrel Freinds. at Night Tho. Ashby demanded the Provisions My Lord sent out & insisted he was Imploy'd by Colo. Carter and that he would do what he pleas'd with the Lord Fairfax's stock with abundance of Insolent Language.

Wednesday Octo. 13 It began to Rain at 9 in ye Morning & continued all day, Maj. Mayo's horses stray'd away it continued Raining. One of My Lords Bag. Horses & Maj. Mayo's is not to be found.

Thursday Octo. 14th it Continued raining we finding our Horses very Poore & not able to Carry our Prov. &c agreed to make a Cornue we began to fell the tree at 3 in the Afternoon

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[31]See map. "The pass, at Ashby's Gap, from the foot of the mountain on the eastern side to the Shenando which runs at the foot on the western, is about four miles." "Burnaby's Travels in Virginia, in 1759," *Virginia Historical Register*, V (Jan., 1852), p. 151.

[32]Abraham Penington obtained a grant on the west side of the "Shenandoe" in 1734. Norris, *op. cit.*, p. 79.

[33]Isaac Penington obtained a grant of 500 acres on Oct. 3, 1774. W. S. Laidley, "First Settlers of West Virginia," *West Virginia Historical Magazine*, I (Jan., 1901), p. 54.

[34]A William and John Vestall first settled about six miles east of Charlestown. While building a home they were attacked by Indians and driven across the Shenandoah River to the mountains. Norris, *op. cit.*, p. 58.

[35]See map.

[36]Israel Friend (d. 1753) settled in the region of Harper's Ferry around 1734. John Walter Wayland, "The Germans of the Valley," *Virginia Historical Magazine*, X (July, 1902), p. 34; *ibid.*, XVIII, 206; Carrie B. Wilson, "The Friends or Quaker Element in Jefferson," *Magazine of the Jefferson County Historical Society*, V (Dec., 1939), pp. 24-27.

Friday Octo. 15. raining Morn. till 12. we proceeded to make our Cornue Last Night we took the variation of the Compa- at 25 Minutes past 10 at Night by the North Star, and find it to be 3½ Westerly. Joseph Carter[37] entred himself in pay for My Lord.

Satterday Octo. 16. We attempted to Observe the Lattitude, but was prevented by Clouds, we Launch'd our Cornue

Sunday Octo. 17th we continu'd at Camp, News was brot us that the Kings bag. was ded that fell down the Rock Monday Night Last it rain'd in ye Evening.

Monday Octo. 18th it rain'd all Night & became faire in the morning we finding that our Horses would be very troublesome to us and a great hindrance to the business in hand and of Little use, we determined for the greater dispatch to Ease ourselves of that trouble to Quit them in this Place and pursue our business on foot and for the Carrage of our Provi. &c to make use of Canoes so that we began to make another this morn.

When Mr. Ashby found that we were Resolv'd to proceed on foot he demanded to know whether he was not in the Comission we told him he was not, he Insisted he was but we kep it from him and that he would carry his Horse as far as he pleas'd, we reason'd wth him some time but all would not do, for unless he could do as he pleas'd he would go back & that Every one of his men (as he cald them) would go wth him for they would go one and all together, we Insisted upon John Catlit to Stay, and his answer was that he only come upon My Lord's request but not as a Chain Carrier, we reply'd that every man of them was under the directions of My Lord's Surveyors and when they found that we were to direct them they got their Horses and Left us.[38]

I desir'd Mr. Ashby to bring us the bag. Horses that belong'd to My Lord wch he deny'd to do Notwithstanding they had not all been seen since Wednesday Last, and now we have but one man to assist us, Moses Bots Quitted himself Likewise from the Kings Servis.

Octor. 19th. I writ to Colo Carter Relating Ashby's Leaving us, we continu'd working upon the Canoe, we attempted to take an Observation but was prevented by thick Clouds at 12. Isral Freind Entred himself as Pilot for the King & My Lord up Potomack.

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[37] Joseph Carter of Lancaster? Joseph Carter of Frederick did not come from Bucks County, Penn., until 1743. Joseph Carter of Lancaster, however, was tobacco inspector at Corotoman at this time. See Joseph L. Miller, "Carter Genealogy," *William and Mary Quarterly* (July, 1909), XVIII, especially pp. 52-53 and XIX, 116-117. It is possible that the Joseph Carter entered in the service of Lord Fairfax was one of the settlers brought to the Valley of Virginia by Alexander Ross and Morgan Bryan. These settlers were members of the Society of Friends. Kirk Brown, "Early Settlement of Friends in the Valley of Virginia," *West Virginia Historical Magazine*, III (Jan., 1903), p. 57.

[38] Ashby and his men hurried back to the Fairfax Commissioners and gave a rather uncomplimentary and one-sided account of the survey. This provoked another letter of censure from the commissioners: "It is not without a just concern, that we are obliged to acquaint you that we have seen Mr. Ashby, whom we had engaged as your pilot & Steward and the Chain men he had hired by our Directions, who say they left you on the 18th of sd: inst: about four miles above the Mouth of the Shenandoah; and have presented too plausible reasons for their so doing, so that if you don't accomplish the work you undertook, this season (and we apprehend you have had very good weather) We shall have too much cause to think Those men have told us nothing but truth. Charles Carter and William Fairfax to the Surveyors, Nov. 17, 1736, *Calendar of State Papers*, I, pp. 227-28.

Octo. 20th. Mr. Savage and myself went to Morgan Bryants[39] to get bred & other things in readiness agst we got up theire. Saml Taylor[40] brot in one of My Lords bag. Horses that had not been seen for seven days, Phineas Griffith Entred himself as Chain Carrier for My Lord in the afternoon.

Thursday Octo. 21st. Observ'd and found the Suns Zenith 54d 13i 26o and continu'd at work.

Friday Octo. 22nd. we finished one Canoe and Lanch'd her

Satterday Octo. 23rd. we proceeded to Survey Mr. Savage went with the boys to Morgan Bryants wth the Horses and we put all the Provisions in ye Canoes. We Survey'd 5 Miles Maj. Fell of a Rock as he was Surveying & hurt himself so much that he could not walk he was Oblig'd to take the Canoes.

Sunday Octo. 24th we continued at Camp — It raind Last night

Monday Octobr 25th we began to Survey 1/2 an hour after 7 and Campt at 4 went 9 Miles. all Rocks to the River that it is impossible to pass wth Horses, Mr. Savage Return'd from Morgan Bryants, our People had very hard work to get our Canoes over several great Falls.

Tusday Octobr. 26 we Entred Cornelius Comings into pay for My Lord, began to Survey 1/4 after 7 went 5 miles by one it snow'd two hours we were oblig'd to Stay for our Canoes, the River being brd. and the watters shoal that they were for it to drag the Vessells most part of the way, we had very bad going, the Rocks close to the river, The Surveyors this day rec'd Letters from the Commssrs.

Wednsday Octo 27th we went to work 3/4 after 7 Survey'd above Opeckon and Campt att William's Ferry, Morgan Bryant brot us some beef a barrell of Corn made into bread, some Cheese. Seven men Campt wth us come from Philadelphia bound to Lewis Town.[41]

Thursday Octor. 28th we proceeded to Survey and went 5 Miles it began to Snow at one, Maj. Mayo's horses was brot to him.

Friday Octo. 29th we went to work it snow'd part of the day, we went 5 miles great part of the way Rocks to the River.

In spite of the irate Ashby's mischievous report, Byrd accords warm praise not only to the "uncommon Skill, but also to the courage and Indefatiguable Industry" of Mayo, Brooke, and Winslow. Before their work was completed the little group had to endure both cold and hunger, and at one time there was talk of "cutting up the most useless

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[39]On October 1730, Morgan Bryan and Alexander Ross were awarded 100,000 acres "lying on the West and North sides of the River Opeckan and extending thence to a Mountain called the North Mountain and a long the River called Cohongaruton and on any part of the River Sherrando not already granted to any other persons. . ." One hundred families were to be settled on the land within two years. Robert Carter entered a protest to the above in behalf of Lord Fairfax, whose agent he was. "Virginia Council Journals, 1726-1735," *Virginia Historical Magazine*, XXXVI (Oct., 1928), pp. 346-47 and *ibid.*, XXXVII, 23. See also Lyman Chalkley, *Chronicles of the Scotch-Irish Settlement in Virginia*, (Rosslyn, Va., 1912), II and III, index.

[40]Samuel Taylor settled on the course of the Cohongoruton about 1734. Samuel Kercheval, *A History of the Valley of Virginia* (Strasburg, 1925), p. 50.

[41]Probably they were en route to Fort Lewis in the vicinity of Staunton.

Person among them, Mr. Savage, in order to Support and save the lives of the rest."[43] The timely arrival of supplies, however, saved the expedition as well as Mr. Savage, and at length the party reached the head spring of the Potomac.

[43]Byrd, *op. cit.*, p. 117.

West Virginians in the American Revolution

Assembled and Edited by ROSS B. JOHNSTON

The sources of this material are from the files of the Pension Office at Washington, from various county records, from notes of patriotic societies, principally the Daughters of the American Revolution, Sons of the American Revolution, Sons of the Revolution, and from a large miscellaneous group of published and private sources. Corrections and additions to this list will receive the careful attention of the editor.

CALDWELL, JOHN

Service—Virginia No. S-9146

Born in Ireland, January 22, 1753. While still a boy, his parents emigrated to America and first settled near Baltimore. In 1773, Caldwell removed to near Wheeling, and for several years was engaged in the Indian wars. In 1774, he was with Dunmore. In October, 1776, he was one of a party from Grave Creek Fort that went down the Ohio to rescue the wounded and bury the dead of Robert Patterson's party, coming from Kentucky. The next year, Caldwell was a volunteer under Captain Samuel Mason. At first stationed at Fort Shepherd, he was at Fort Henry during the siege.

Caldwell, while out scouting, ran up a hill to escape an ambuscade, tripped and fell, and was wedged between two trees. Seeing an Indian pursuing him, he wrenched himself loose with great effort, just as the Indian threw his tomahawk, which missed its aim. Caldwell escaped to Shepherd's Fort, six miles up the creek. In 1778 and 1779, he was a volunteer guard at Fort Henry, Wheeling, and in the latter year went on Brodhead's expedition.

He also saw service for a time at Rail's Fort (probably Rice's Fort), on Buffalo Creek. He lived on Wheeling Creek, about fourteen miles above its mouth, until his death in 1840. His father resided on site of Washington, Pennsylvania. He applied for pension, Ohio County, Virginia, August 10, 1832, and certificate was issued in his favor. Later, however, he was dropped from the rolls. Although he was known to be a valued and brave Indian fighter, his services did not come under the act of June 7, 1832.

Supporting claims by Marcus W. Chaplin, William Hoskins (Harkins), John Mills, Joseph Alexander, Abraham McCullock, and Isaac Seffler (Suffern).

CALL, HUGH

Born, January 24, 1764. Enlisted, 1782, under Captain Tast. Applied for pension, February 11, 1835, Greenbrier County, but his case was suspended on ground of insufficient service.

CANAFAX, WILLIAM

Service—Virginia Va. No. 23938 No. S-19233

Born, Cumberland County, Virginia, July 9, 1758. Served twelve months in the Revolution in the companies of Captains Chiles and Montgomery, Virginia Regiment commanded by Colonels Larreson and Clark, and General Muhlenberg. Resided in Campbell County, Virginia, at time of enlistment. Applied for pension, Monroe County, Virginia, January 15, 1834. Certificate issued, April 28, 1834. Supporting affidavits by Rev. Jacob Cook and Adam Mann.

CANFIELD, DANIEL

Service—New York Va. No. 19974 No. W-9768

Born, February 10, 1757. Enlisted, New York and served nine months under Captain J. Rosencrantz, New York Regiment, Continental Establishment, commanded by Colonel Holmes and General Clinton. Fought at Fort Montgomery. Applied for pension, April 2, 1825, Randolph County, Virginia. Certificate issued, September 15, 1828. Died, October 31, 1832.

Married, Dutchess County, New York, by Elder Lawrence. Baptist minister. Wife's name, Elizabeth. Born, May 25, 1759. Names of children: Nathan, January 20, 1779, (died near Chillicothe, Ohio, 1813); Mary, November 12, 1781; Titus, August 28, 1784; Sarah, February 16, 1787; Zachariah, September 8, 1790; Daniel, August 17, 1791; Amos, January 14, 1794; Zedediah, September 20, 1796; Moses, October 6, 1798; Henry, January 18, 1801; Margaret, June 20, 1804. Widow applied for pension, August, 1841, Jennings County, Indiana. The family had also lived for a time in Ohio. Supporting affidavits submitted by Elisha Daikin, John Canfield, and Henry Martin.

CANTERBURY, JOHN

Service—Virginia No. R-1667

Born in Prince William County, Virginia, 1759; resided in Montgomery County, 1778, and in Washington County, Virginia, in 1781.

His pension declaration in Monroe County, Virginia, shows a varied service against the Indians. For a time, he was at the station of Benjamin Logan in Kentucky; then he served with Captain Joseph Martin on the French Broad River with the forces under Colonel Sevier against the Cherokee Indians; he was next on a campaign on the Holston River under Colonel Campbell with General Marion's army against the British forces in the Carolinas.

His claims were supported by Rev. Jacob Cook, James Stodghill, Rev. Johnson Keeton, John Roach, Rev. Joseph Ellison, and Samuel Clark. Claim rejected, pending submission of further proof.

CARDER, WILLIAM

Service—Virginia Va. No. 16395 No. S-17872

Born, Hampshire County, Virginia, 1760. Enlisted, March, 1780, Hampshire County, and later was in Monongalia County. Served two years as a private under Captain Isaac Parsons, Colonels William Lowther and Carpenter. Applied for pension, September 27, 1833, Lewis County, Vir-

ginia, and certificate was issued, but later suspended, and money returned. His service on the frontier was not ruled sufficient to justify pension. Supporting claims were made by John Brown and John Schoolcraft. Manly Carder mentioned, possibly his wife or daughter. Richard Bell was also named, relationship not shown. A stepdaughter was named Mrs. John Mitchell.

CAREY (CARY), MICHAEL

Service—Maryland Va. No. 11319 No. S-40039

Served three years as private under Captain Beaty in the Seventh Maryland Regiment, under Colonel Gumby. Saw service at Camden, Hanging Rock, Eutaw Springs, and Cowpens. Enlisted near Baltimore, 1778 to 1783. Applied for pension, Harrison County, October 20, 1818, and certificate was issued, June 4, 1818. Wife was sixty-one years old in 1820. Two children are named: Nancy, 19; Peggy, 16.

CARNEY, THOMAS

Service—Virginia No. 1711

Application of Thomas Carney for pension, filed July, 1834, Lewis County, Virginia, was refused on account of the inability of claimant to prove that he was old enough for such service. John Reger, John Mitchell, Henry Flesher, and Samuel Bonnett testified in his behalf.

CARPENTER, CHRISTOPHER

Satisfactory evidence was produced before the Harrison County Court, March 18, 1833, to prove that Nicholas Carpenter, of said county, was the son and sole surviving heir of Christopher Carpenter; and that said Christopher Carpenter enlisted in the Revolution about 1776 under Captain Henry Heth to serve during the war in the Virginia Line; and that he was marched to Pittsburgh and there served to the end of the war as an artificer; and that he was in service seven years under different commanders, attached to the Ninth Regiment.

CARPENTER, DAVID

Pension application was refused in report of U. S. District Attorney, made in July, 1834. In application in Lewis County, Virginia, David Carpenter was shown to have come to Harrison County in 1776. He declared in 1834 that he was seventy-two years old and had rendered service for three years and nine months. He was declared too young to have rendered such service.

Testimony was submitted which indicated that he did serve in the Indian wars in 1785. Among statements submitted were those from John Reger, Nicholas Carpenter, a cousin, Isaac Washburn, John Neeley, William Powers, and Waldo P. Goff.

CARPENTER, JESSE

Service—Virginia Va. No. 16589 No. S-9309

Applied in Lewis County, Virginia, for pension, on grounds of two years' service in the Revolution, under Captain Turnk. Certificate issued in 1833, but was later dropped along with many others who had been investigated by District Attorney Singleton.

CARPENTER, JOHN (CARLINTON?)

Service—Virginia Va. No. 12648 No. S-8160

Born, Botetourt County, Virginia, about 1764, and lived on Hackers Creek, Lewis County, August 7, 1832, where he applied for pension. Certificate issued, May 16, 1833, later dropped, and nothing to show reinstatement. Among comrades were Martin Life and James Brown. Statements filed by Sam Bonnett, Nicholas Carpenter, Isaac Washburn, and William Powers.

Carpenter enlisted in Captain John Bowles' Rifle Company, Virginia militia, 1780, and served under General Green at Guilford Courthouse. He was discharged from service and re-enlisted with Captain David May's Company, Virginia militia, and was with General Wayne under General Lafayette at Yorktown. Later he was a guard at Winchester, and was discharged by Lieutenant Wallace Aster. He enlisted again in 1781, and served with Captain John McCoy's men at West's Fort, Bush's Fort, and Neal's Station. He was discharged in 1782, re-enlisted, and served under Captain Peter Hull until 1783.

CARPENTER, BENJAMIN, JEREMIAH, and JOSEPH

Joseph Carpenter, commonly accepted as a veteran of the Revolutionary War, is buried on the west fork of the Little Kanawha River.

Jeremiah Carpenter is buried at Union Mills, Braxton County.

Benjamin Carpenter is buried at the mouth of Holly River, Braxton County.

CARPENTER, SAMUEL

Service—Virginia Va. No. 11822 No. W-6631

Samuel Carpenter saw service in the Revolution at the battles of Guilford Courthouse and at the Siege of Yorktown. His father was John Carpenter. He married Margaret or Polly Blankenbeker, March 26, 1793. The officiating minister was William Carpenter and the marriage is recorded in Culpeper County, or Clark County, Virginia, although this record is also referred to as in Jackson County, Virginia. The soldier's widow applied for a pension, Madison County, Virginia, May 26, 1854. Statements submitted by Adam Wayland, Joseph Carpenter, and Sarah Carpenter, a cousin.

CURRENCE (CARRANCE), WILLIAM

Born in Pennsylvania. Moved to the Tygarts Valley, 1774. Claimed to have been seventy years old in 1834 and to have had service under Captains Friend, George Jackson, and Curtis, Colonel Lowther, and General Clark. Application for pension was rejected.

CARTE, WILLIAM

Service—Pennsylvania Va. No. 6791 No. S-29281

Enlistment, Northampton County, Pennsylvania, from 1775 to 1778. Served three years as private under Captain Sam Craig, First Pennsylvania Regiment, Colonel James Chambers. Was at Battle of Brandywine. Applied for pension, November 25, 1818, Greenbrier County. Certificate issued, February 11, 1819.

Name of wife, Catharine, who was aged 69 in 1820. Soldier moved to Ohio and made his home with daughter, Rachel Johnson, two granddaughters, Hannah Johnson, 6, Catharine Johnson, 5, and another granddaughter, Nancy Cart, 12.

CARTER, JOHN

John Carter is listed on the payroll of Captain William Haymond's company of Monongalia County militia as in active service during the War of the Revolution in 1777 as a private.

CARTER, JOSEPH

Enlisted in Captain Stephenson's company in 1775. Was at Roxbury Camp, January 1, 1776. May have been a son of the Joseph Carter who came from Bucks County, Pennsylvania, in 1743 and settled east of Winchester.

CARTER, WILLIAM

Service—North Carolina and Virginia Va. No. 12339 No. S-9133

Born in Albemarle County, Virginia, April 2, 1760, and resided there until after the Revolution. Later lived in North Carolina ten or twelve years, thence to Greenbrier County, Virginia, later Monroe County.

Enlisted, Albemarle County, September, 1778, and served ten months as private in company of Captain J. Grayson Henderson, North Carolina and Virginia Line, under Colonels Boyer, Gibson, and Cleveland. In campaigns in the Carolinas and Virginia. He re-enlisted in North Carolina in 1780. Applied for pension, Monroe County, February 18, 1833. Certificate was issued but was later suspended. Supporting claims by Rev. William Adair and Patrick Donnelly.

CASE, WILLIAM

Enlisted as a private in Captain Shepherd's company. Taken prisoner at Fort Washington in 1776, and died in captivity March 15, 1777.

CASEY (CAISEY), JOHN

Service—Virginia Va. No. 19554 and 7005 No. W-29604

Native of Buckingham County, Virginia. Resided in Amelia County when the Revolution broke out. Enlisted in Virginia state troops at Ragland or Ragged Islands, on Chesapeake Bay, under Captain Armaugh, in detachment of which Lieutenant Dudley Biggs, Major John Nelson, and Colonel William Grass were officers. He was at Suffolk, Old Town, Williamsburg, Jamestown, Hampton, and near Portsmouth. Was camped near Petersburg when that town was entered by the British. At surrender at Yorktown, he was ill in a hospital at Hanover. After recovery, he joined his troops when they went from Hanover to Winchester to guard prisoners. He was discharged at Yorktown, March, 1782, by Lieutenant Diggs (Biggs?).

Warrant for 200 acres issued to Casey, November 19, 1874, by order of the Virginia council on the land office as a "private in the Continental line who served to the end of the war."

Casey applied for a pension, January 15, 1833, Kanawha County, Virginia. Certificate was issued, February 21, 1833, but was stricken from

roll, 1835. No evidence that any effort was made to have name restored until time of his death in 1845. The soldier had married Jane Barley and Lucinda Morton, both of whom had died. In Jackson County, Ohio, May 26, 1831, he married a third time, the bride being Mary Cox, and Frederick Winfough, Justice of the Peace, the presiding official. The widow applied for a pension, July 27, 1878, while residing at Washington Courthouse, Fayette County, Ohio. She was still living in 1888, one of the two living wives of Revolutionary soldiers at that time.

CASEY, NICHOLAS
Service—Virginia Va. No. 13130 No. S-9152

Born in Hampshire County, Virginia, November 25, 1749, and died there in 1833. In April, 1781, he enlisted as a private in the cavalry unit under Captain Daniel Richardson, Virginia militia, under First Lieutenant John Harness and Second Lieutenant Robert Cunningham. Was engaged in guard duty and scouting. Applied for pension, Preston County, November 13, 1832. Certificate was issued, May 14, 1833. Supporting affidavit filed by John Ryon.

CASNER, ADAM
Service—Pennsylvania Va. No. 12550 No. S-9141

Born, Germany, 1747, and came with his father's family to America, 1764. Lived in Cumberland County, Pennsylvania, when the Revolution started. Moved to Brooke County, Virginia, in 1814.

Enlisted in the fall of 1776 and served nine months as a private under Captain Culbertson and Colonel Johnston of the Pennsylvania Line. Patton and Lacy commanded his troop. Soldier was twice discharged by Colonel Johnston, once by Colonel Buchanan, and once by Captain Poe. Was with Washington's army at Valley Forge. Applied for pension, August, 1832, Franklin County, Pennsylvania.

CATLETT, DAVID
Service—Virginia Va. No. 23833 No. R-1808

Enlisted, Frederick County, Virginia, and served nine months as private under Captains Nicewander, Heiskell, and Calamese, in Regiment of the Virginia Line under Colonel Drake (Darke?). Also names Lieutenants Catlett and Elkins.

Applied for pension, Morgan County, Virginia, February 24, 1834, and died September 11, 1843. Certificate issued, March 12, 1834. Married, February, 1783. Widow, Ann Catlett, applied for pension, February 13, 1839, and died October 20, 1840. Her claim was rejected in statement outlining the pension acts. Supporting claims filed by Cormwell (Cromwell) Orrick and William Neely.

CAUL (CALL), THOMAS M. (Sergeant)
Service—Virginia Va. No. 16893 No. S-18342

Born, October 1, 1763, Augusta County, Virginia. Served sixteen months as sergeant under Captain Buchanan, Lieutenant Blair, Ensign Crawford, Colonel Howard, Generals Washington, Gates, Green, and Morgan. Also names Ensign George Anderson, Lieutenant J. Walker,

Captains Renicker and Given, Colonels S. Mathews, Hugart, McCleary, and Buller, General Campbell, and General Lafayette. Applied for pension, July 21, 1833, and it was granted the same year. Supporting affidavits submitted by Thomas Byrne and J. M. Camp.

CHALFANT (CHALFIN), SOLOMON (Wagon-Master)
Service—Continental Virginia Va. No. 2765 No. S-9166

Born about 1753 and died February 26, 1837. Enlisted, Back Creek, Berkeley County, Virginia, August, 1777, as private in Gabriel Long's Company in Colonel Rawling's Eleventh Virginia Regiment, Continental Line. He was engaged in the battle of Brandywine, and soon after was made wagon-master, in which capacity he served until 1780.

Applied for pension, August 27, 1832. Certificate issued, December 5, 1832, Monongalia County, Virginia. Soldier is buried, Olive Church, near Pentress, Monongalia County. Statement of Captain G. P. Cotton, U. S. A., 47 Montgomery Street, Jersey City, New Jersey, in the files mentions James Cotton and Nicholas Hagar as being connected with the family.

CHAMBERS, ROBERT (Sergeant)
Service—Virginia Va. No. 4857 and 12591 No. S-8194

Served as sergeant two years under Captain Higgins and Lieutenants Curry and Cooper, Eighth Virginia Regiment, Major Stevenson. Enlisted, Augusta County, Virginia, August, 1777, and after broken periods of service was discharged, 1781. Applied for pension, April 22, 1818, and certificate was issued, December 18, 1818. Soldier was fifty-six years old in 1822. Second certificate was issued in 1833.

CHAMPE (CHAMP), JOHN (Sergeant Major)
Service—Continental Virginia No. W-4153 B. L. Wt. 948-100

Phebe Champe, widow of Sergeant Major Champe, made application for pension, January, 1819, in Franklin County, Ohio, which was rejected. A second application was made, January 15, 1838, which was referred to a special committee and a certificate was issued, by special Act of Congress, July 25, 1838, giving the pension. Champe never applied for a pension. Warrant for 400 acres of bounty land was issued to John Champe's heirs, July 31, 1835.

The story of John Champe is one of the most interesting in the entire Revolutionary period. Sergeant Champe was not by law entitled to land from the United States. The application of his widow to the Sixteenth Congress was refused. Probably the bounty land which seems to have been received was granted by the State of Virginia as a member of Major (General) Henry Lee's Legion.

Champe was a corporal in the second troop, 1778, after enlisting, April 20, of that year. He was made a sergeant in 1779. As such, he was chosen and ordered by Major Lee and General Washington to go into British camp in the feigned character of a deserter to watch the movements of the enemy, and also to seize the person of Benedict Arnold, whose flight to the British after discovery of his plan to turn traitor to the patriot cause had been the sensation of the war. Champe got within the British lines and nearly succeeded in carrying out the plan

to bring back Arnold to the American lines in order that he might be tried as a traitor. These facts are related at length in General Henry ("Light Horse Harry") Lee's Memoirs.

Champe enlisted from Louden County, Virginia. Later he removed to Hampshire County, Virginia, and, according to Pension Office Records, died near Morgantown, Monongalia County, where he was looking over some land. The following children are named: Eleanor, married Jacob Hartman; William, Mary, and John Champe, living in Ohio; Amelia, married William Keys; Susannah, married Daniel Wilfong; Nathaniel Champe was living in Ohio.

CHANDLER, THOMAS

Service—North Carolina Va. No. 19918 No. S-39314

Served three years as a private under Captain Lylle, Tenth Regiment, Continental Establishment, under Colonel Thaxton, after enlistment in North Carolina. He took part in the battle which resulted in the defeat of General Gates' army. He later established a home in Cabell County, Virginia, where he applied for a pension, October 22, 1827, and certificate was issued April 21, 1828. At that time, soldier was sixty-five years old and his wife was sixty-four.

CHAPLINE, ABRAHAM (Captain)

Served as a captain in the Virginia State Line, and also under General George Rogers Clark. Received land grant in Kentucky near Harrodsburg on which he settled. Was son of Captain William Chapline and Ann Forman.

CHAPMAN, JACOB

Service—Virginia Va. No. 23920 No. S-19237

Born, Staunton, Augusta County, Virginia, 1755. Enlisted, Greenbrier County, spring of 1778, and served fifteen months under Captains Armstrong, Arbuckle, and William Hamilton, under Colonels Hamilton and Stewart, guarding border settlements and forts. Applied for pension in Nicholas County, December 10, 1833. Certificate issued, 1835, dropped in 1835, but later restored for six-months service. Supporting claims made by Elverton Walker, George Rader, Michael Rader, and Jonathan Wilson.

CHENOWETH, JOHN

Service—Virginia Va. No. 2011 No. W-18899

Born, November 15, 1755, Hampshire County, Virginia, son of William. Died, Randolph County, Virginia, June 16, 1831. Enlisted, Big Cacapon, Hampshire County, 1776 or 1777, and served two years under Captain Westfall, Virginia Line, Continental service, Colonel Muhlenberg. Was in the Battle of Brandywine. Married Mary Pugh, January 7, 1779. She was born in Hampshire County, January 27, 1762. Widow applied for pension, June 28, 1837, and certificate was issued May 7, 1838. Supporting claims filed by Barney Kern and Andrew Arnold.

CHERRY, WILLIAM (Captain)

Cherry entered the Revolutionary service, according to a letter to Colonel James Wood, commandant at Albemarle Barracks, March 26, 1780, from Moses Hunter, Quartermaster, in 1776 as a second lieutenant in Captain Isaac Beall's company Fourth Virginia; first lieutenant, August 17, 1776; captain, November 29, 1777; retired September 14, 1778, after serving with distinction.

By order of the State of Virginia, May 17, 1832, the heirs of William Cherry were allowed one year and six months service as a captain in the Continental Line in addition to previous allowance. This was in response for a request for additional land grants, in Clinton County, Ohio, October 25, 1831, made by Joseph Wisong and Elizabeth, his wife, late Elizabeth Patton, and formerly Mary Cherry; John and Richard Cherry (the said Elizabeth, John, Mary, and Richard being children of the late Captain William Cherry); and John Patton, a grandchild.

The will of Captain Cherry is filed in Berkeley County. It is not dated, but was proved in Jefferson County, February 13, 1805. Captain Cherry was the proprietor of one of the earliest and best known taverns in Jefferson County.

CHESNEY (CHESTNUT), BENJAMIN

Service—Continental Virginia Va. No. 5479 No. S-39297

Served six years, according to certificate of General Henry Lee. Enlisted in March, 1775, and served under Captain Rudolph, Continental Establishment, in Legion commanded by Colonel (General) Henry Lee. Fought at Brandywine, Stony Point, Powles (Paulus?) Hook, Guilford Courthouse, and Eutaw Springs, in which last battle he was wounded by a shot through the leg. Claims for horse, saddle, bridle, final settlement, and depreciation ticket were not received, according to his statement.

Not entitled to pension under act of 1818, but later applications were made in Monongalia County, Virginia, which were probably allowed. He was granted land bounty, December 30, 1812, for his services. Soldier is buried on Guston Run, Cass District, Monongalia County.

CHEW, RICHARD

Richard Chew, applied for pension in Monongalia County, as a soldier of the Revolutionary War, but his claim was rejected.

CHIDESTER, HOLDRIDGE

Served in Captain Smither's troop, Sheldon's Regiment of Light Dragoons, New Jersey Line, Continental Army, as listed on Page 167 of "Officers and Men of New Jersey in the Revolution." He settled in the Booth's Creek section of Harrison County (now Marion County), prior to 1795 when his name appears on the Harrison County tithable lists. His children were: Abraham, married Catherine Radcliff, April, 1806; Ann, married James Wells, son of Phineas Wells, November 5, 1804; Massey, married Abraham Wells, son of Phineas Wells, December 2, 1801; Jane, married, 1808; Margaret, married, 1812.

CHIDESTER, OLRAGE

Olrage Chidester was a private in Captain Benjamin Site's company, Morgan Township, Washington County, Pennsylvania, Militia, during the Revolutionary War. He was born in Pennsylvania, 1756, and there enlisted in the Revolutionary Army. He married May Pence, September 9, 1793. He died in Morgan County, Virginia.

CHILCOTT, ELIHU

Service—Virginia Va. No. 19353 No. W-6665

Enlisted, May 27, 1776, and served two years as a private in the company of Captains Croghan and Hite, in the Eighth Virginia and the Third Virginia Regiment under Muhlenberg, Weedon, and Reed. Saw service at White Plains, Brandywine, Germantown, and Monmouth.

He was born, 1757, and died May 25, 1831. He married Lydia Payne, 1788. He applied for pension, December 4, 1819, and his widow, aged seventy-eight in 1838, applied in that year for her pension. She was placed on the pension rolls in 1841. Children of Elihu and Lydia Chilcott were: Ann, 17; Rachel, 20; Isaac, 14; Joel, 22; two older daughters, and a granddaughter, aged 5. Supporting claims were filed by Matthias Hite and Rachel Wilson.

CHRISTIAN, ROBERT

Service—Virginia Va. No. 12549 No. S-9177

Born, Augusta County, Virginia, February 28, 1764, and was living in Kanawha County in 1841. In March, 1781, was placed on the muster roll of his county, and in April was placed in the Virginia Militia under Captain Francis Long and Major Robert McCleary. Marched to Rock Fish Gap to protect the Legislature which had been driven from Richmond and then from Charlottesville. Attached to General William Campbell's brigade. General Campbell occupied Richmond after Lord Cornwallis had evacuated that city, and pursued him to Williamsburg. Joined General Lafayette's army, and after skirmishes at Kent, Hot Water Mills, and other points, the British were chased to their ships at Jamestown. Colonel John Willis and then Colonel Samuel Lewis in turn commanded this unit. Took part in siege and capture of Yorktown, soon after which he was discharged by General Campbell.

Applied for pension, September 10, 1832, Kanawha County. Certificate was issued, May 9, 1833.

CLAPPER (CLOPPER OR CLEPPER), VALENTINE

Service—Maryland Va. No. 10498 No. S-39325

Enlisted in Maryland, August 1, 1780, in Captain Price's company, Second Brigade of the Maryland Line, under Colonel John Stewart of the Second Regiment. Served in General Green's army until November 15, 1783, when he was discharged at Annapolis. Was wounded in the right knee at the Battle of Eutaw Springs. Supporting affidavit by John Henry or Haney. Soldier was aged seventy-two in 1818, and his wife seventy-two in 1820. Pension certificate issued in Harrison County, March 8, 1819.

CLARK, SAMUEL

Service—Virginia Va. No. 3525 No. S-9188 and B. L. Wt. 20366

Born, Augusta County, Virginia, April 18, 1764, and died in Monroe County, January 27, 1857. Supporting affidavits filed by Berryman Jones, who was a comrade with Clark during the Battle of Jamestown under Captain Patrick Buchanan; in a border campaign against the Indians in the Tygarts Valley, under Captain John McKitrick; and also at the capture of Lord Cornwallis at Yorktown. Testimony submitted in his behalf also by Rev. James Christy and Michael Alexander. Pension granted and also 160 acres of bounty land.

Much detail of his service is found in the pension application, made in Monroe County, 1832. Entering service, September, 1780, Clark served three months in Captain Samuel McCutcheon's Company; three months in Captain James Trimble's company of Colonel Sampson Matthew's regiment. Was in a skirmish with the British near Portsmouth in Captain Patrick Buchanan's company of Colonel Thomas Huggard's regiment; was wounded in the head by a British sabre in the Battle of Jamestown and spent several months in a hospital. Served three months in the companies of Captain Francis Long and Captain John Campbell. Guarded prisoners at Winchester after the surrender of Cornwallis at Yorktown. His last service was the three months under Captain John McKitrick against the Indians in the Tygarts Valley.

He moved from Augusta County to Greenbrier County, in March, 1786, settling in the part that is now Monroe County. (Note: His application papers go into considerable detail and refer to a large number of Revolutionary officers.)

Book Reviews

THE ATLANTIC MIGRATION, 1607-1860: A HISTORY OF THE CONTINUING SETTLEMENT OF THE UNITED STATES, by Marcus Lee Hansen. (Cambridge: Harvard University Press. 1940, pp. xvii, 391; $3.00)

This is a scholarly and interesting history of the movement of Europeans to America, especially in the first half of the nineteenth century. Despite the growing popularity of the subject, this is the first study we have had of the various peoples of western and north central Europe in their own communities, and of the pressures and dissatisfactions that drove such vast numbers of them away from their homes across the Atlantic into a new land. It is, of course, not a history of colonization even though the first three chapters deal with conditions before 1800; the main purpose of the book is to assess the causes and to examine the nature of the swelling overseas migration from 1815 to 1860. This was originally planned by Professor Hansen as the first of three volumes on immigration to the United States, the second volume to deal with the period from 1860 to 1882, and the third from 1882 to recent years. But this plan was ended by Professor Hansen's death before even the present volume was completely ready for the press.

While the average reader would never select this book for leisure or entertaining reading, nevertheless it has qualities of satisfying the general demand for information without being "textbookish." Style of presentation is one of its merits; one who has an original interest in such a subject finds his attention held until he has finished another and still another chapter. There is a conviction that the account is woven from the lives of men and women — humble people at that — and not from abstractions and statistics. The fact is that the author spent a rather long time in Europe going over the materials he used as sources of information, and the degree of energy and thought he applied in selecting and reducing them to his purpose is reflected on every page of his book. In the "Bibliography and Notes" at the end of the volume are listed the citations, from fifty to a hundred for each chapter, to the Irish, English, French and German newspapers; the collections of laws, documents, and reports; the letters, journals, monographs and similar sources. The book is also enlivened with nine excellent illustrations and maps.

The state of international relations in 1940 makes this work more useful than the author could have foreseen. It is true that he does not extend his treatment of the immigrants beyond their arrival in America, giving no attention to the survival of cultural heritages after their transplanting by minority elements on this side of the Atlantic, but he does supply an explanation of what social and economic conditions surrounded

those groups on the other side of the ocean. No analysis of how they have persisted here could be undertaken with less for its foundation. The present-day suspicions regarding subversive minorities, the intense feeling about democracy, its definition and defense, are affected deeply by the understanding—or lack of it—of the reasons for these minorities being here and of their effect on the development of our national attitudes.

Since Professor Hansen was principally interested in the great migration for itself alone he defends no arresting hypotheses on its consequences. But he does advance some conclusions which are out of the ordinary. Thus, at page 151, he writes: "In the eighteen thirties and the early forties emigration was usually the result of careful planning." Often, he goes on, the prospective emigrating family pondered the move for months or even years, and the "reading family" was regarded as most likely to go. Again he gives an interesting account of the attempts of the Brazilian government to induce settlers, and with enough appeal to make that country rank above the United States as the goal of emigrants. One of the best parts of the book is chapter viii, "Commerce Bridges the Atlantic," in which is described how the "powerful forces of commerce smoothed the path of the emigrant" by reducing the financial outlay needed to reach America and also by spreading information to show "millions of Europeans" how they "might reasonably hope to find fortune and happiness" in the New World in such a way "that they need not surrender the individuality without which, political philosophy was teaching them, no happiness was possible and no fortune worth-while."

The Scandinavian element is neglected, but a note for the chapter on "Pioneers of the Great Migration" explains that it had been Professor Hansen's intention to write a fuller account of the situation in northern Europe as well as in Holland. The reviewer feels that the German side is made too prominent in comparison with others, with all due respect to the recognized place which Germans have occupied in building America. Thus in the sources for a typical chapter, number six, there are approximately as many references to German sources as to all others combined. One feels, too, that the last chapter is not so thorough and ends in an abrupt fashion, but that may have been unavoidable under the conditions of completing the book.

On the whole this is a good book. It will not be characterized by the "must" that is attached to so many—too many—of the current output, but for the reader who wishes to feel a sense of real satisfaction over the gain he has made in the time he gives it, this book will rank high. We owe a debt to the patience, the constructive ability, and the clarity of thought of the man who gave it to us.

Bethany College W. K. WOOLERY

THE PLANTING OF CIVILIZATION IN WESTERN PENNSYLVANIA, by Solon J. Buck and Elizabeth H. Buck. (Pittsburgh: University of Pittsburgh Press, 1939. XVI 565 Pp. Illustrations, maps, prints, and bibliography; $5.00)

The present volume is one of a series prepared under auspices of the Western Pennsylvania Historical Survey, a creature of the Bureau of Business Research of the Pittsburgh District. The latter agency was established in 1924 to make a comprehensive study of local business and larger phases of the economic life of the Pittsburgh District, but, as usual with such undertakings, it had not proceeded far before the need of a factual background was apparent. This resulted in the Western Pennsylvania Historical Survey, set up in 1931 under auspices of the Historical Society of Western Pennsylvania, the University of Pittsburgh, and the Buhl Foundation of Pittsburgh. Although much had already been done by the Historical Society of Western Pennsylvania and a half score or more historians working almost alone and unaided, the project was new and called for time and guidance. Accordingly, a five-year program was outlined and Dr. Solon J. Buck, a specialist in Western history now with the National Archives, was placed in charge.

As indicated in the "Foreword" to the present volume, Dr. and Mrs. Buck's part of this program was "to survey the history of Western Pennsylvania in all its aspects down to the War of 1812." The thoroughness with which this undertaking was accomplished is indicated in the chapter headings of their books, which, among other things, cover such topics as natural environment, the Indian regime, the French occupation, Indian reservations, cultural heritage, the coming of settlers, expansion of settlement, transportation, frontier economy, domestic life, community life, intellectual life, religion, local government, and Jeffersonian Democracy. Quite properly, acknowledgement of indebtedness is made to Leland D. Baldwin, Randolph C. Downes, Russel J. Ferguson, Alston G. Field, and Marian Silveus who, as co-workers under direction of the Survey, as well as through their independent efforts, did much of the pioneering for Dr. and Mrs. Buck.

The value of their work is determined, of course, by their ability to select what is most worthwhile and to preserve proper balances in its presentation. In each of these tests of historical scholarship they have, in the opinion of the present reviewer, been eminently successful. Moreover, their style is excellent and their general narrative so interesting that neither would have been impaired by the use of footnotes. Fortunately, the inconveniences resulting from the absence of these evidences of and aids to historical scholarship is reduced to a minimum by a well selected and arranged and all but exhaustive bibliography—the best in print on this phase of Pennsylvania history. The profuse use of well selected maps and illustrations contributes also to the evident intention of the authors to produce a popular, yet not too scholarly book.

Because of the likeness of their origins to western Pennsylvanians, the present volume is almost as interesting and informing to West Virginians as to those whose historical background it so effectively re-

veals. It should therefore point a way to the former, even to those interested primarily in their state's economic life. Like Pittsburghers similarly interested, they too might discover that such things cannot be understood apart from their historical background. Such a discovery might give West Virginia an active historical society, such as has functioned in western Pennsylvania during several decades and now sponsors a historical magazine in the twenty-fourth year of its continuous existence.

West Virginia University C. H. AMBLER

FELIX GRUNDY, CHAMPION OF DEMOCRACY (SOUTHERN BIOGRAPHY SERIES), by Joseph Howard Parks. (University: Louisiana State University Press. 1940, Pp. IX, 368; $3.00)

In recent years Southern scholars have been quite productive in the writing of history. Thanks to these historical works and other forms of literary activity, the South is beginning to receive recognition for the part it has played in the development of the country. In line with these trends the Louisiana State University Press is sponsoring a new project—the *Southern Biography Series*—which gives promise of adequately filling a large gap in Southern history. The work under review is, I believe, the initial volume of this series, and is well worthy of this distinction.

Felix Grundy was born in Berkeley County (now West Virginia) in 1777, but in his early childhood his family moved to Kentucky. He was admitted to the bar in his adopted state at an early age and at once began to advance rapidly in his profession. Politics, however, made a strong appeal to him and soon he became a prominent figure in the Kentucky legislature. By 1807 he had been elevated to the chief justiceship of the Court of Appeals, the highest tribunal in the state. He had held the place for only a short time when he resigned and moved to Nashville, Tennessee.

Fresh honors were awaiting him in his new home both in the law and in politics. Four years after his arrival at Nashville he was chosen as a member of the Federal House of Representatives, and from then on much of his time was spent in public life. Serving his first time in the noted Twelfth Congress, he, along with Clay, Calhoun, and the other "War Hawks," strenuously advocated war with England. After the war had started he urged a vigorous prosecution of it and the raising by taxation of a large portion of the funds needed for its effective support. It was probably while he was in the House of Representatives that he performed his most distinguished public service.

Resigning from Congress in 1814, he became again active in his profession for a period of five years, during which time he won a wide reputation as a criminal lawyer. His success was not due to his knowledge of the law, for he was never profound in his legal researches, but to the emotional appeal he was able to make to a jury which he had shown great skill in selecting. He was an eloquent speaker and a fine actor. He could command laughter or tears at will and he never failed

to make the most effective use of the dramatics of a trial. The practices indulged in by Grundy and other attorneys of his kind explain why our ancestors and many of their descendants had a high regard for the ability and a low estimate of the ethics of criminal lawyers.

In 1819 Grundy became a member of the Tennessee legislature. While acting in this capacity he advocated financial measures which would aid the debtor class and relieve the economic distress occasioned by the panic of 1819. His proposals aroused the violent antagonism of Andrew Jackson, but it was not long until these two became political allies and remained so as long as Grundy lived.

In 1829 Grundy entered the United States Senate, succeeding John H. Eaton, who had become a member of Jackson's Cabinet. He was in the Senate from this time until his death in 1840, except for a short period when he was serving under Van Buren as Attorney General. As a Senator he made a distinguished but not a remarkable record. His exceptional party regularity fettered his initiative and originality as a legislator and left him little to do except to uphold the measures favored by the Democratic Presidents—Jackson and Van Buren—and fight with energy and ability those advanced by the leaders of the opposition.

One exception to this was his stand on the Subtreasury Bill, a measure close to the heart of Van Buren. He was in favor of this measure, but, acting on instructions from the Tennessee legislature, he voted against it. His excuse for this compromise with principle was that the responsibility belonged to the legislature, not to him, as he was acting as the agent of the legislature, which was the principal. Other Senators of that day when similarly placed often, though not always, resigned their seats rather than obey instructions with which they were not in accord.

It was with reference to his action on nullification that his motives were most open to question. In a speech in the Senate in 1830 he took a position in favor of nullification, following closely the line of argument advanced by Calhoun. Later, when South Carolina began to practice what Calhoun had preached, nullification ceased to be a mere academic question and became the center of a violent political controversy. Grundy was now placed in an awkward position. He had to sacrifice either his consistency and his loyalty to his friend and relative, John C. Calhoun, or his standing with President Jackson, for the latter had declared uncompromisingly against nullification. To make matters worse, he had to come up for re-election at this inconvenient time and his constituency was with Jackson in opposing nullification. Yielding to the politician in him, he about-faced and spoke against nullification. In trying to explain Grundy's action on this occasion Mr. Parks leans away from that objectivity and impartiality which in general characterize his work. He speaks of Grundy's having been drawn "by *duty* and regard for the future" and says that he repented of his sins (p. 192) and decided to go along with the President in his action toward South Carolina. To this reviewer the term "duty" does not seem to be the proper word to use in this connection.

During his Senatorial career Grundy proved himself to be an astute politician and did yoeman's service for the Democratic Party. He was an able and loyal lieutenant under both Jackson and Van Buren and furnished valuable assistance in the mending of their political fences. But in playing so perfectly the role of the politician he forfeited to some extent the opportunity of acting that of the statesman.

In writing this biography Mr. Parks has admirably performed a needed task. He has produced an interesting narrative, expressed in a clear and straightforward style. One shortcoming of the book is the meagreness of space devoted to the personality and home life of Grundy. The tone of the work is judicial and impartial, and except for one or two instances, there is no special pleading. The volume is attractive in appearance and the proofreading is perfect. The publishers, as well as the author, are to be congratulated on having made such a good start on a series of books which give promise of becoming a noteworthy contribution to American biography.

West Virginia University — O. P. CHITWOOD

THE FIRST GENTLEMEN OF VIRGINIA, by Louis B. Wright. (San Marino, California: The Huntingdon Library, 1940, Pp. xi, 373; $3.75)

Some books written by historians are interesting to other historians because of the facts they uncover, some are interesting to the general reader because they are amusing and instructive, and some should be read by intelligent citizens because they are valuable for the light they shed on present problems. Dr. Louis Booker Wright's study of *The First Gentlemen of Virginia* is one of the few works falling into all three classes. It deals with "the evolution of a ruling class of gentlemen in Virginia" concentrating "chiefly upon the relatively neglected problem of the intellectual qualities and attributes of the group who became the leaders of the colony in the first two or three generations." When it is remembered that George Washington, Patrick Henry, Richard Henry Lee, George Mason, and Thomas Jefferson were a product of the civilization formed in the period treated by Dr. Wright, it is easy to see why the book should be "required reading" for those Americans concerned with the so-called decadence of American democracy and the more than so-called mediocrity of our educational system.

Analysis of social attitudes and intellectual attributes is not easy. Dr. Wright, of the research staff of the Huntingdon Library, brings to bear on the task the exceptional facilities of that institution and the experience gained in writing *Middle Class Culture in Elizabethan England* (Chapel Hill, 1935). Eschewing alike the wild claims of the ancestor worshipers who would have us believe that almost all colonial Virginians were "Cavaliers" and the equally untrue statements of the sons of the codfish who claim that Governor Berkeley's statement about printing presses and free schools sums up the culture of colonial Virginia, the author strikes out on his own and reaches some interesting conclusions.

In the first place, as Professor Wertenbaker has pointed out, not

many Virginia immigrants were from England's upper class. In colonial Virginia, as in modern America, the possession of capital determined the place held in the social scale. There the parallel breaks down. The Virginian who acquired wealth, unlike too many of the self-made men of the present, consciously strove to make himself a gentleman in every sense of the word. He took for his model the best qualities of the Tudor and Stuart gentry of England, and like those gentlemen, he realized and assumed the responsibilities wealth entails. According to Dr. Wright, "The theory of behavior embraced by the Virginia gentleman was implied in the traditional code of his kind that he adapted to his use. . . . The cardinal virtues that the gentleman was still expected to believe in were the same that had won the praise of Renaissance writers: fortitude, prudence, temperance, justice, liberality, and courtesy. All of these the Virginia gentleman approved as desirable; some he exemplified with considerable zeal."

About two-thirds of *The First Gentlemen of Virginia* is devoted to a study of the intellectual interests and accomplishments of the group who became and remained Virginia's aristocracy. "An aristocracy that was mindful of its obligations to church and state, sensitive about its manners and behavior, and careful to maintain its superiority, would not neglect its intellectual development." Using biographical data, letters, and particularly analysis of the books in those plantation libraries for which he could find inventories, Dr. Wright reached the conclusion that the level of culture among the Virginia aristocrats was, if anything, higher than that of the English country gentlemen and noblemen after whom the Virginians patterned themselves. He explains the apparent lack of intellectual effort in Virginia in two particularly pithy sentences. "The difficulty was not that Virginians had nothing to say, or that no press at Jamestown or Williamsburg made it convenient for them to print, but that men like Richard Lee and his kind maintained a spiritual and intellectual reticence. They would no more have dissected their emotions or ostentatiously displayed their erudition in the manner of Cotton Mather than they would have appeared at a social gathering stripped of their shirts." Richard Lee kept his personal notes in Greek and Hebrew and when he died in 1715 had a library of nearly three hundred titles.

Besides Richard Lee of Mount Pleasant, Dr. Wright analyzes the library, intellectual attainments, and literary tastes of William Fitzhugh of Eagle's Nest, Ralph Wormeley of Rosegill, John and Robert Carter of Corotoman, Robert Beverley, the historian, and William Byrd of Westover. Their libraries, with the exception of that of William Byrd who was something of a book collector, were acquired for use and not for display. The reader is struck by the absence of material which could by any definition be called frivolous. Virginia's first gentlemen put an astonishingly high value upon learning and worked to acquire it with the same energy they used in getting land and fighting the Indians. Therein, it would seem, lies the explanation of the reservoir of great men Virginia supplied to the nation. They were the products of

an aristocracy which was as much an aristocracy of intellect as it was of wealth. In support of this contention Dr. Wright cites the statement of Philip Fithian to John Peck, his successor as tutor to the children of Robert Carter of Nomini Hall. In spite of the haughtiness of the Virginians, Peck, who had received a good education at Nassau Hall, could expect to "be rated, without any more questions asked, either about your family, your estate, your business, or your intention, at £10,000; and you might come and go and converse and keep company according to this value; and you would be despised and slighted if you rated yourself a farthing cheaper."

Dr. Wright's style is clear and direct, his historical judgment and scholarship bespeak thorough training. Nor is he lacking in a sense of humor, as his remark about the Carters shows. "So numerous did they become that their descendants have been estimated at present to number at least 50,000 souls. For many people the name Carter has come to signify the type of Virginia aristocrat of the previous age. Far and wide—and sometimes with more imagination than historical accuracy—descendants have heralded the name and fame of this family, for none of them has ever been accounted a shrinking violet content to bloom unseen—or unheard."

King College — JOHN CARTER MATTHEWS

THE CHURCH ON THE WESTERN WATERS: AN HISTORY OF GREENBRIER PRESBYTERY AND ITS CHURCHES, by Lloyd McF. Courtney (Whittet and Shepperson, Richmond, Virginia, 1940. 123 Pp.; $1.25)

"The Western Waters" are those beautiful streams which lie between the crest of the Alleghenies and the Ohio and are now embraced in the State of West Virginia. This new book will have some interest to all West Virginians for it deals with a phase of development which has had a deep and vital relation to our State. But its special interest will lie with Presbyterians, for its subtitle is *An History of Greenbrier Presbytery and its Churches.*

Greenbrier Presbytery was the pioneer Presbytery of the Virginia territory west of the Alleghenies, and was organized in the Old Stone Church at Lewisburg on the second Tuesday of April, 1838.

The region embraced in the bounds of the Presbytery was about 150 miles square, with a population of more than 100,000 souls. Ministers were few and it was recognized at the start that this must be a Home Mission Presbytery. This sentence from the opening sermon of the Moderator, Dr. John McElhenny, is well worth preserving, "The more completely we are stripped of every shadow of self-dependence and trust alone in the arm of heaven the most certain we will be to succeed. Every member of this Presbytery must measurably assume the character of a missionary."

The Presbytery lived up well to its Home Mission task. Within a period of thirty years there was an increase of 206 per cent in the number of churches, 100 per cent in the number of ministers, and 63 per cent in the number of communicants. The Presbytery, at the end of the

100 years of its existence, has increased from: Churches—15 to 53; Ministers—8 to 30; Members—1,423 to 5,912.

The soil of the new Presbytery was a very fertile one for the Presbyterian Church. There were many Scotch and Scotch-Irish people settled in there to whom the Calvinistic faith and doctrine were indigenous and to whom it appealed. Their belief in the Divine Sovereignty imbued them for that unrelenting persistence under the difficulties which so eminently prepared them for the part they performed in subduing the trackless wilderness and founding new states. Dr. Courtney calls attention to the part played by these pioneers in winning the battle of Point Pleasant against Cornstalk and its importance in winning the War of Independence. And among the leaders of this war we find many names familiar throughout all this region even today. It will be interesting to many to find the part their forebears bore in the development of this field.

The author traces the development of the work until two other Presbyteries were organized—Kanawha and Tygart's Valley. With these three Presbyteries (now Greenbrier, Kanawha, Bluestone) need of a new Synod—the Synod of West Virginia—now arose, which was organized at the Old Stone Church, Lewisburg, October 27, 1914. Up to that time the work had been under the direction of the Synod of Virginia, but was now taken over by the West Virginia Synod, and the growth of the work in West Virginia has fully justified the erection of the new Synod which now numbers about 20,000. West Virginia has always been a unique home mission field, and the Synod was erected for the purpose of more effectively meeting that opportunity in home missions which we believe is without parallel within the bounds of our Church. This was the envisioned mission of our Synod which must not be forgotten by its ministers and churches.

The last half of the volume is taken up with a brief account of the various churches that have been and now are embraced in Greenbrier Presbytery, together with the names of the ministers who have served each church and the number of years served in each.

Three churches are designated as "Three Corner Stones" of Presbyterianism in this region. These were the first Presbyterian churches organized "West of the Mountains" and churches from whose work and influence many others have sprung. They are the Old Stone Church, Lewisburg; Union Church; and Spring Creek Church. The first mentioned church had a notable line of ministers, one of whom (John McElhenny) had a pastorate in this church of more than 62 years. Union Church has had only ten pastors in its long history of 155 years. Spring Creek Church occupies its third building since its organization in 1783 with a notable list of ministers, the average of whose ministry is about ten years. The length of these ministries furnishes a notable comment on the restlessness of the ministers these days. Perhaps the strength of this Presbytery may be found in the fact that these pastors were willing to remain until their task was finished.

Dr. Courtney closes his narrative with the home mission note of

inviting and promising fields which have not yet been entered. "The need of the Presbytery is to have a rebirth of that home mission vision and the consecrated purpose in which it had its beginning," and he expresses the hope that the words spoken at the time of the organization of Greenbrier Presbytery shall apply with force today: "Every member of this Presbytery must measurably assume the character of a missionary."

Dr. Courtney has done a painstaking task for which he deserves the thanks of all Presbyterians and West Virginians as well.

Charleston, W. Va. ERNEST THOMPSON

THE LAST FOREST: TALES OF THE ALLEGHENY WOODS, by Douglas McNeill. (Fortuny's, New York, 1940. Pp. 154; $1.50)

The Last Forest, by Douglas McNeill, is a volume of short stories of the big woods over by the Alleghenies, and of the animals and people who live there. The story themes are various: the Civil War veteran who meets a new test of courage in battle; the mountain boy who played a homemade violin and left a seng digger's cabin for the concert stage; the feud between the Rileys and the Rigsbys and the surprising way in which it was settled; the adventures of a fish and of a little boy who tried to catch him; four men in search of their lost youth. There is clarity and a quiet distinction in many of Mr. McNeill's descriptions of woods and streams; his characters seem less clearly drawn. The author is a native of Pocahontas County and since 1923 has been principal of Marlinton High School.

Charleston, W. Va. MABEL ANN WEST

GEORGE WASHINGTON, by Nathaniel Wright Stephenson and Waldo Hilary Dunn. (Oxford University Press, 1940, 2 volumes. Pp. xiii, 473; vii, 596; $10.00)

This newest biography of George Washington delineates a conventional portrait of America's greatest man. In the preface the authors modestly admit that "no biographer dares hope that he can present anything startlingly new about Washington. . . . The most one can hope to do is to give a faithful interpretation of Washington, based upon sound evidence from one's point of view." Happily the authors' point of view evidences scholarly restraint rather than the current predilection for the sensational or romantic. Whenever possible Washington is allowed to speak for himself and the selections are exceptionally well-chosen. Even the entries in his account books are made to reveal something of Washington the man—his precision and fastidiousness, his enjoyment of an occasional game of cards, his insatiable land hunger.

Volume one covers the years 1732-1777. The most important influences during this period were derived from the frontier experiences of the young surveyor, militia colonel, and guardian of the Virginia frontier. The vicissitudes of these years left a lasting impression on Washington and from them originated his firm belief in discipline and preparedness, his insistence on a sound currency, and his desire for co-operation be-

tween the civil and military authorities. During the uncertain years prior to 1775, Washington was more absorbed in the practical affairs of a successful farmer and land speculator than in abstract theories of government. Once, however, he became convinced that a struggle between the colonies and the mother country was inevitable, he never wavered from the course of independence.

In the second volume Washington emerges as a man of national proportions. In spite of the inter-state jealousies, incompetent staff departments, a declining currency, cabals, and his own occasional miscalculations, Washington succeeded in holding the army together until the time was ripe for the decisive blow, which if all had gone well, might have fallen sooner. From the very first, the conduct of his French allies irritated the commander-in-chief and when one of his letters sharply criticizing the French fell into the hands of a publisher, a rupture between him and Rochambeau seemed imminent. But it was Washington's good fortune to know when an apology was due and Rochambeau was glad enough to acknowledge it.

In these parlous days the most significant part of the work is that dealing with the presidential years, when problems which bear a strange similitude to ours confronted the president. Washington's perspective was unclouded by illusions of international chivalry. "There can be no greater error than to expect, or calculate upon real favours from Nation to Nation," he pointed out in his farewell address. And at an earlier date he had written to Patrick Henry: ". . . I want an *American* character, that the powers of Europe may be convinced we act for *ourselves*, and not for others." The American way was to be guarded from external enemies by preparedness. "This," he believed, "may even prevent the necessity of going to war, by discouraging belligerent powers from committing such violations of the rights of the neutral party, as may, first, or last, leave no other option." As for internal enemies, he defended the Alien and Sedition Acts on the ground of "self-preservation."

One could wish that the authors had avoided the injudicious and much too frequent use of "berserk" to describe Washington's outbursts of temper. On page 58 the impression is given that Nathanael Greene assumed the duties of quartermaster before he actually did (March 2, 1778). And Benedict Arnold married Miss Shippen in 1779 instead of 1780 (p. 129).

Undoubtedly, however, the many excellencies of this work will commend it to the general reader as well as the student of history. For the latter the copious notes and general bibliographical aids will be a useful feature. Five maps of some of the principal battles of the Revolution were especially prepared for this biography.

Mississippi State College for Women ELIZABETH COMETTI

State History as Featured by the Press

MAGAZINES:

National Historical Magazine (June, 1940), *Abstract of Some Early Wills of Hardy County, Virginia (now West Virginia)*, compiled by E. L. Judy; *Revolutionary Soldiers' Graves*, compiled by committee from Colonel John Evans Chapter, D. A. R., Monongalia County, West Virginia.

The Western Pennsylvania Historical Magazine (March, 1940), *Lincoln's Visit to Pittsburgh*, as reported in a (West Virginia) school girl's correspondence.

Southern Literary Messenger (May, 1940), *Hills of Home*, by Bruce Crawford (a West Virginia writer).

New York Times Magazine (July 7, 1940), *Five Great Small Towns* (concerning Harpers Ferry), by Donald Culross Peattie.

The Mississippi Valley Historical Review (June, 1940), *The Blundering Generation*, by J. G. Randall.

The Virginia Magazine of History and Biography (July, 1940), *Washington West of the Blue Ridge*, by Dr. John W. Wayland; *Virginia in 1726; The Affair of the Pistole Fee, Virginia, 1752-55*, by Glenn Curtis Smith; *William Byrd Title Book*, cont.; *A Crisis in Education, 1834 (Washington College)*, by William D. Hoyt, Jr., cont.

The South Atlantic Quarterly (January, 1940), *Political Procedure in the First Session of the Seventy-sixth Congress*, by Floyd M. Reddick; (April, 1940), *Some Aspects of the Know-Nothing Movement Reconsidered*, by Harry J. Carman and Reinhard H. Luthin.

The American Historical Review (July, 1940), *On Rewriting Reconstruction History*, by Howard K. Beale.

The National Geographic Magazine (August, 1940), *West Virginia: Treasure Chest of Industry*, by Enrique C. Canova, illustrated with 21 natural color photographs.

West Virginia Review (May, 1940), *Pioneers*, by Houston Kermit Hunter; (June, 1940), *Swan's West Virginia Lands;* (July, 1940), *We take the High Road (history of early roads)*, by Clark Hinkle and Roger Young, Jr.; *Landmarks of the Boulevard.*

READER'S DIGEST (August, 1940), *American Culture: Open to the Public*, by Frederick Lewis Allen (refers to Marshall College, Huntington, West Virginia).

NORTH CAROLINA HISTORICAL REVIEW (July, 1940), *Southern Contributions to the Social Order of the Old Northwest*, by John D. Barnhart.

INDIANA MAGAZINE OF HISTORY (June, 1940), *Circumvention of Article VI of the Ordinance of 1787*, by Daniel Owen.

NEWSPAPERS:

FAIRMONT TIMES, *Marion County Post Offices*, listed by Ernest F. Millan, May 17; *Joint Resolution from Virginia Legislature, January 25, 1867, Asking New State to Return to Her Mother*, May 18; *"Yesteryears,"* by Albert J. Kern—lists Circuit Judges during last 100 years—May 22; *Greatest Collection of West Virginia Historical Material* (outside this state), found in the University of Wisconsin Library—second largest collection in library of University of California—May 31; *Boothsville Baptist Church Centennial*, June 5; *West Virginia, The Mountain State*, the new history by Dr. C. H. Ambler, June 21; *George Rogers Clark Resided at "The Fish Creek Settlement, 1771-1775,"* according to findings of Clem S. Shaver, June 24; *Marion County Centennial Planned for 1942; Kenna Clark Has Framed Picture of General Francis Marion, (The Swamp Fox)*, for whom county was named, July 5; *Historical Notes on Towns and Creeks* (in the Marion County section), taken from Eli Bowen's *Rambles in the Path of the Steam Horse, 1852*, July 27.

WHEELING NEWS-REGISTER, *Century of Bethany College*, historical sketch, by F. J. Haskin, May 17; *History of the Old Thompson M. E. Church—Observes 87th Anniversary*, May 18; *Early History of Ohio River —Pioneer Days Reviewed*, by Minnie Kendall Lowther; *Cabin Museum at Parkersburg has Valuable Book—The Navigator, 1801*, May 19; *Pioneers of the Valley as Builders of America*, May 26; *Art in Religion Exhibit Opens at Oglebay Mansion*, June 9; *Old State House Corner Stone Box to be Opened Soon*, July 7; *Pearl Buck*, article on; *"Westminster Abbey" of Christian Church; Tri-state Group Undertakes Marking of Historic Pioneer Land*, July 14; *Notes on the Early History of the Panhandle of Virginia*, by John R. Blakeley, July 21 and 28; *Wheeling Legion Post Has Historic Background*, July 28.

RALEIGH REGISTER, *W. P. A. Staff is Writing History of Raleigh County*, May 20; *Fayette Spring ("Barbecue Spring") Has a History*, June 16; *Local Girl, Ella Davis Laing, Writes Play about Miners, "Wings of Fortune,"* July 21; *Those Jackson Lived and Fought—Story of "Stone-Wall's" Grandmother Found in Old Records*, July 30.

PARKERSBURG NEWS, *Vienna (W. Va.) is Promised Land to Its Founder in 1794—Dr. Joseph Spencer*, May 10; *150th Anniversary of Methodism Observed*, May 23; *John McLaughlin, Pennsboro Man, Tells of Becoming Indian Chief*, May 26; *Dr. Amaziah Ashburn—Days in Civil War Prison*

Camp, May 26; *Sketch of Major General John L. Hines*. June 10; *Ancient West Virginia Sea Vast Source of Chemicals*, June 15; *Battle Between Mail—Boatmen and Indians, 1789*, described, June 16; *How Gauley Got Its Name*, June 23.

BRAXTON DEMOCRAT, *W. P. A. Preparing History of Braxton County*, May 16.

WHEELING INTELLIGENCER, Painting—*Expedition Led by John School-Craft, 1777, to Bring Aid to Wheeling Settlements*, by Charles H. Chapman, May 21; *Martin Wetzel, Revolutionary Soldier and Indian Fighter*, historic sketch of, by C. B. Allman, June 17; *Reflections of a Governor's Wife*, by Mrs. Homer A. Holt, July 13; *Belated Tribute Paid to Captain John Whetzell, Pioneer*, July 26.

MINERAL DAILY NEWS, *Historical Sketch of I. O. O. F. of Keyser*, May 23.

POCAHONTAS TIMES, *David Kennison*, historical sketch of, May 23; *General Strother and Party Visit Sinks of Gandy Creek in 1872*, June 6.

MONROE WATCHMAN, *History of Monroe Unfolded in Exhibit*, May 23; *Veterans' Graves: Revolutionary, 1812 and Civil Wars, 108 in All*, located in Monroe County, July 25.

MOOREFIELD EXAMINER, *List of Revolutionary Forts in West Virginia*, concluded; *New Shenandoah Valley Guidebook*, lists much historical lore, May 23; *Sketch of Franklin Pierce De Lawder Family Since 1854*, June 20.

BLUEFIELD TELEGRAPH, *Old Landmark, (Davidson House) to be Rebuilt and Preserved as Memorial to First Settlers. Built in 1796*, May 26; *Historical Sketch of the Rev. Daniel H. Carr, Veteran Circuit Rider of Pioneer Days*, July 14.

CHARLESTON GAZETTE, *Destruction of Ferry Boat on Gauley River by General Rosecran's Men*, told in letter, May 26; *Episcopal Church History in Kanawha Valley*, June 9; *State Flower Adopted on Recommendation of Governor A. B. White, 1903*, June 9; *Daughters of 1812 Dedicate Marker to Jonathan Casto*, June 18; *Civil War in Nicholas County*, described, June 16.

DAILY HERALD (Wellsburg), *Bethany College Celebrating 100th Anniversary*, May 28.

CLARKSBURG EXPONENT, *"Pringle Tree" Attracts Many Visitors to Settlement Site at Buckhannon*, May 31; *Old Records Tell Story of Ohio Boat Trip*, June 2; *Monongahela West Penn Celebrates 50th Anniversary. Company Donated Jackson's Mill Camp Site to State for Four-H Work; Picture of Building in Which "Stonewall" Jackson Was Born; Civil War Skirmishes in Braxton and Nicholas counties*, described in old letter; *Fourteen Passenger D C-2 Airliner Will be Named "The City of Clarksburg,"* June 9; *Message to Garcia Made West Virginia Famous*, June 11;

Diary Gives Interesting Data on Early Clarksburg, June 16; *Buckhannon Man Prominent in Formation of New State—D. D. T. Farnsworth*, historical sketch, June 20; *Thomas J. Jackson, Clarksburg's Confederate General Had Six Sobriquets in Addition to "Stonewall,"* June 28; *State Mound Builders were Remarkable Creatures; First Wagons Brought Here by Horseback*, July 14; *West Virginia Girl Wins First Place in National Children's Drama Contest, Washington, D. C.—Louise Preysz of Elkins, West Virginia*, July 19; *"Valiant Was the Word" for County's First Sheriff, Colonel William Lowther, 1783 to 1785; Indian Names for Rivers, Proves Interesting Study*, July 21; *Melville Davisson Post Ranked with Poe*, sketch of, July 26; *Coal Discovered in State 200 Years Ago*, July 28; *Shinnston Church to Mark 99th Anniversary*, historical sketch, July 28.

GRAFTON SENTINEL, *The Story of Memorial Day*, May 29.

GRANT COUNTY PRESS, *George W. Hammer, Last Surviving Confederate Veteran in Pendleton County*, family sketch, May 30.

WESTON DEMOCRAT, *Bits of Lewis County History: Chief Tecumseh*, May 31; *George Rush Establishes Home (1790) on Freeman's Creek, on Original Site of Freemansburg; Benjamin Lightburn Established Mill at Mouth of Broad Run—Later Became Village of Lightburn; Fink Community Was Settled in 1815*, June 14; *Tea Table Rock*, June 21; *Jane Lew, Established in 1835*, June 28; *Indian Massacre at Bull Village (Bulltown); Stroud Family Murdered by Shawnee Indians, 1722*, July 5.

NICHOLAS CHRONICLE, *Mrs. L. E. Harrison (reared in Nicholas County) is Author of Book, "Virginia,"* May 30; *Poet (John W. Addis) Wins Recognition*, June 30.

MCDOWELL RECORDER, *Margaret Wilson, Former Resident of Kimball, Publishes Book, "Borderland Minds,"* May 29.

LOGAN BANNER, *Blaine Vernatter's Songs Requested for Folk Song Collection*, May 29; *Photostatic Copy of 1850 Census (First Taken in Logan County) Purchased by Local D. A. R.*, July 3.

BECKLEY POST-HERALD, *Primitive Baptist Church on Indian Creek Holds Its 147th "June Meeting,"* June 4; *Civil War Fighting in Fayette*, described, July 11.

CHARLESTON MAIL, *Loop Creek*, historical article, June 5; *City's Older Citizens Recall Formation of West Side Town, "Elk City,"* June 23; *M. A. Burnside of Madison Has Poems in "Poetic Voice of America,"* July 16; *Western Virginia Separation Pioneered by Philip Doddridge*, historical sketch by George W. Summers, July 28.

WEST VIRGINIA NEWS, *Unveil Oil Painting of Dr. John McElhenney*, June 6.

CLARKSBURG TELEGRAM, *Colonel John Blizzard*, sketch of, June 5; *Dr. Walter E. Stathers, Civil War Veteran*, sketch of, June 6; *Phil Conley*

Reviews Harvey W. Harmer's Book, "Old Grist Mills of Harrison County," July 9.

BUCKHANNON RECORD, *Buckhannon—How Named?* June 6.

DOMINION NEWS, *Two Morgantown Women—Miss Edna H. Neville and Mrs. William Arlington, Poems Published in World's Fair Anthology, 1940,* June 13.

SHEPHERDSTOWN REGISTER, *Notes on the History of the Lutheran Church, Shepherdstown Parish,* June 13; *Folger McKinsey Writes Poem About Shepherdstown,* July 25.

WELLSBURG DAILY HERALD, *New Murals in Hollidays Cove Post Office,* depict local history, June 19.

WESTON INDEPENDENT, *Mrs. Harry C. Howard Named Poet Laureate of West Virginia D. A. R.,* June 26.

ELKINS INTER-MOUNTAIN, *M. E. Church at Valley Head Dedicated, June 30, 1940,* July 1; *"Treasure Chest of Industry,"* article in National Geographic Magazine relating to West Virginia, July 27.

GLENVILLE PATHFINDER, *Senator Harmer Writes Book, "Old Grist Mills of Harrison County"; Glenville's Ludwick Glass Company Unique—Only Plant in U. S. to Make Lead Glass,* July 11.

FARMER'S ADVOCATE (Charles Town), *150th Anniversary of Charles Town Methodist Church, Organized in 1791,* historical sketch, July 12.

PHILIPPI REPUBLICAN, *Ida L. Reed Receives B. and O. Recognition,* July 18.

MORGANTOWN POST, *Story of Elizabeth Jackson, Ancestor of General "Stonewall" Jackson,* July 19.

REPUBLICAN DELTA (Buckhannon), *Emma L. Heffner of French Creek, Poems Included in "Poetic Voice of America,"* July 18.

GRAFTON NEWS, *Mrs. O. Jay Fleming Has Poem Published in "Poetic Voice of America,"* July 19.

THE INDEPENDENT (Shepherdstown), *150th Anniversary of Charles Town M. E. Church Planned,* July 17.

WAYNE COUNTY NEWS, *Wayne County Highway Aided in Nation's Growth—James River and Kanawha Turnpike One of Most Historic Highways in U. S.—Early 1800's,* July 26.

SERIALS (CONTINUED)

GRAFTON SENTINEL, *A History of Taylor County,* by Charles Brinkman, began April 18, 1839.

THE MOUNTAINEER (Ripley), *Early History of Pioneer Days in Jackson County,* began February 16, 1939.

Recent Publications of Interest to West Virginians

The Last Forest, by Douglas McNeill, Fortuny's, New York, 1940.

The First Gentlemen of Virginia, by Louis B. Wright, Huntingdon Library, San Marino, California, 1940.

Freedom of Thought in the Old South, by Clement Eaton, Duke University Press, Durham, North Carolina, 1940.

Old Grist Mills of Harrison County, West Virginia, by Harvey W. Harmer, Clarksburg, West Virginia, 1940.

Calendar of the J. J. Jacobs Letters in West Virginia Depositories, prepared by the Historical Records Survey, Division of Professional and Service Projects, W. P. A., Charleston, West Virginia, July, 1940.

Frank R. Stockton: A Critical Biography, by Martin I. J. Griffin, University of Pennsylvania, Philadelphia, Pennsylvania, 1939.

The South to Posterity: An Introduction to the Writing of Confederate History, by Douglas Southall Freeman, Charles Scribner's Sons, New York, 1939.

The Westward Movement: A Book of Readings on Our Changing Frontiers, by Ina Faye Woestmeyer, D. Appleton Century Company, New York, 1939.

The British Empire before the American Revolution: Volume IV. *Zones of International Friction: North America, South of the Great Lakes Region, 1748-1754*, by Lawrence Henry Gipson, Alfred Knopf, New York, 1939. (Much of this book is concerned with the Ohio Valley.)

George Washington, 2 volumes, by Nathaniel Wright Stephenson and Waldo Hilary Dunn, Oxford University Press, New York, 1940.

The Log Cabin Myth, by Harold R. Shurtleff, Harvard University Press, Cambridge, Massachusetts, 1939.

Genealogy of the Abraham Johnson Family (Hampshire County, West Virginia), by Annie Dent Davis, Greensboro, North Carolina, 1940.

Cemetery Readings for West Virginia: Cabell County, Gideon Magisterial District, prepared by the Historical Records Survey, Division of Professional and Service Projects, W. P. A., Charleston, West Virginia, April, 1940.

Contributors

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Dr. Ambler is the author of *Sectionalism in Virginia from 1777 to 1861; Thomas Ritchie—A Study in Virginia Politics; Life of John Floyd; A History of Transportation in the Ohio Valley with Special Reference to Waterways; George Washington and the West; Francis H. Pierpont, Union War Governor of Virginia and Father of West Virginia; A History of West Virginia (revised in 1940); West Virginia Stories and Biographies;* and editor of *John P. Branch Historical Papers; Diary of John Floyd;* and *Recollections of War and Peace, 1861-1868.*

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Dr. Thompson is the author of *Veto Power*, and numerous pamphlets. He served as pastor of the First Presbyterian Church, Charleston, West Virginia from 1902 to 1939 (now Pastor Emeritus), and also as Moderator of the Presbyterian Church in the United States.

JOHN CARTER MATTHEWS, for biographical sketch, see Volume One, Number Four.

ELIZABETH COMETTI, for biographical sketch, see Volume One, Number Two.

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He is the author of several articles dealing with current national and international problems.

MABEL ANN WEST, for biographical sketch see Volume One, Number One.

DELF NORONA, official court reporter for the Second Judicial Circuit of West Virginia, has written numerous articles on U. S. postal history for the philatelic press. He edited volumes 1 and 2 of the *Cyclopedia of United States Postmarks and Postal History*, and *The General Catalog of U. S. Postmarks.* He is at present compiling material for a book on the Postal History of the A. E. F.

OLIVER PERRY CHITWOOD is a Virginian. He received his education, William and Mary College (A.B. and LL.D.) and Johns Hopkins University (Ph.D.).

Dr. Chitwood has served as Professor of History at the University of West Virginia since 1907. He is the author of *Justice in Colonial Virginia; Syllabus of Roman History; The Immediate Causes of the Great War; A History of Colonial America; John Tyler, Champion of the Old South*, and joint author of *Makers of American History.*

LOUISE PHELPS KELLOGG, Research Associate, State Historical Society of Wisconsin and Editorial Assistant to Dr. R. G. Thwaites in early western history, 1902-13, received her education, University of Wisconsin (B.L., Ph.D.) and Marquette University (L.H.D.), also studied at the University of Paris, and London School of History and Economics.

Dr. Kellogg is the editor of *Frontier Advance on the Upper Ohio; Frontier Retreat on the Upper Ohio; Early Narratives of the Northwest; Charlevoix's Journal of a Voyage to North America; Juliette A. Kinzie Wau-Bum*, and joint editor (with Dr. R. G. Thwaites) of *Documentary History of Dunmore's War; Revolution on the Upper Ohio, and Frontier Defense on the Upper Ohio.*

Gifts and Loans to the Department of Archives and History

LIBRARY:

Miss Bertha Lewis Clark of Baltimore has donated the following books to supplement a collection, relating to West Virginia and books of general interest, which she has given to this library in memory of her parents:

America's Old Masters, by James Thomas Flexner (New York, 1939).

Doctors on Horseback: The Exciting Story of the Early Days of American Medicine, by James Thomas Flexner (New York, 1937).

A History of Printing: Its Development through Five Hundred Years, by John Clyde Oswald (New York, 1928).

History of Monroe County, West Virginia, by Oren F. Morton, (Staunton, Va., 1916).

A History of Colonial Virginia, by William Cridlin (Richmond, Va., 1923).

Memorial to Dr. Luther Hale Clark (New York, 1936).

Mrs. Eunice Plunkett Mesmer donated *Rust and Allied Families: Genealogical and Biographical.* Prepared by Eunice Plunkett Mesmer, 1939 (Lynchburg, Virginia).

Harpers Bazar, Weekly, for the year, 1871, loaned by Mrs. Eva Margaret Carnes, Charleston, West Virginia.

Two Account Books, 1855-1858, and twenty issues of *Harper's Weekly*, 1871, loaned by James C. King, of Cleveland, Ohio.

MUSEUM:

One seventeenth century decanter, loaned by James C. King, of Cleveland, Ohio.

Editor's Page

This issue of the magazine marks its entrance into a second year. The outlook for the future is bright and on every hand may be found signs of an awakened interest in our State and its history. This, it appears certain at the moment, will lead to the organization of a new State historical society within the near future. One coming at a time of need, dedicated to sound, intelligent work in this field, serving not self but the State and public; and designed not as a replacement of present agencies but a necessary adjunct to such agencies. The movement should, and no doubt will, receive the wholehearted support of our citizens and the future alone will demonstrate what splendid results can be attained in this field.

It is a far cry from the day in 1798, when postal authorities in Washington urged offices established in the Ohio Valley regions, to buy a "plain case or desk, made of pine or cheap wood with a good lock and key," to the fine edifices that now adorn almost every town in West Virginia. And even more so from the operation of the postal service in that day and this. But Delf Norona, in *Early Postal Service in Western Virginia, 1792-1800*, has delved into a subject of intense interest, based upon original source material. This has to do with a subject that should be further explored and treated at the hands of such able writers, especially the operation during the Civil War.

In the article, *Concerning the First Survey of the Northern Neck*, so ably edited by Elizabeth Cometti, may be seen a shining example of what may be found in the way of historical documents that are so much more easily lost than preserved. The story, as has been seen, has to do with the famous "Fairfax Lands," depicted on early maps and taking in a great section of West Virginia in the Potomac River regions. The section of a journal of October, 1736, is of more than passing interest, when set up alongside one kept by young George Washington, who toiled in the same region about fourteen years later. It is unfortunate in the original documents covering instructions that a blank is left for the name of a "branch formerly called ——————" and one wonders about the origin of the title "Quiriough alias Patowomack" for the Potomac River.

When, in 1891, Dr. Lyman C. Draper died, the Virginias, and indeed the nation, lost an able historian and a tireless collector who at one time or the other visited almost all of West Virginia. The result of his years of work is the basis of the priceless collection of material in the hands of the Wisconsin Historical Society, at Madison. In *West Virginia Material in the Draper Manuscripts*, Dr. Louise Phelps Kellogg, in a scholarly way, gives a "birds-eye view" of the items of most interest to West Virginians.

The subject of the erection and formation of our State has long intrigued the best of minds. In a splendid study, *Constitutional Issues Raised by West Virginia's Admission into the Union*, Victor Langford has examined and brought together divergent viewpoints.

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A Bibliography of West Virginia

PARTS I AND II

Compiled by Innis C. Davis, State Archivist, with the assistance of other members of the staff of the Department of Archives and History.

Part I lists books about West Virginia, by West Virginians, or printed in West Virginia.

Part II lists the printed official documents of the State and documents (printed and manuscript) relating to and preceding the erection of the State.

A Directory of the Newspapers of West Virginia, 1790 to 1939, is also included.

A valuable reference book, 535 pages, with index.

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